GUIDANCE

Guidance for supporting vulnerable and disadvantaged learners

This guidance provides advice and sets expectations relating to support for vulnerable and disadvantaged learners for a range of scenarios.

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Introduction

The outbreak of coronavirus (COVID-19) has resulted in many learners being unable to access onsite learning for a number of periods during the course of the pandemic. This impacted on their ability to access education and other services...
that they would ordinarily have had access to. During the course of the pandemic, it is clear that many learners have suffered negative impacts in terms of their well-being and progress in learning, some heavily so. While the experience for some learners may have been positive, evidence from a range of sources, including the Coronavirus and Me survey, suggests that many learners have been negatively affected, and that vulnerable and disadvantaged groups have been affected the most.

Local authorities, schools and other educational settings, as well as practitioners and partner agencies, have shown resilience and agility in adapting the services they provide for children and young people and their families who face barriers to their learning in these unprecedented times. Likewise, many parents/carers and families across Wales have had to adapt and balance new ways of working while providing care, support and education for their children. The Welsh Government commends all education staff, parents/carers and learners in continuing to adapt to the challenges presented by the pandemic.

Schools and settings have been required to provide access to onsite learning for vulnerable learners during periods when most learners have been learning remotely. We know however that there will be learners who are vulnerable but may not have been identified as such by their school or setting. We also know that the nature of provision during such periods has been varied, and will have had a range of impacts, both positive and negative, on vulnerable and disadvantaged learners’ development.

A phased return to onsite learning in schools and settings began on 22 February 2021, with all learners able to access onsite learning from 12 April 2021. Further information on the operational arrangements for all settings can be found in the operational guidance for schools and settings. Guidance has also been provided on learning in schools and settings. This guidance, which should be read alongside the latest versions of the operational and learning guidance, sets out additional information, where it is required, for vulnerable and disadvantaged learners.

For the purposes of this guidance, a wide definition of vulnerable and disadvantaged learners has been adopted. It includes, but is not limited to, learners who are in one or more of the following groups:
• learners with special educational needs (SEN) or additional learning needs (ALN)
• learners with learning difficulties and/or disabilities (LDD) who access further education and training
• learners from minority ethnic groups who have English or Welsh as an additional language (EAL/WAL)
• care-experienced children, including looked after children
• learners educated other than at school (EOTAS)
• children of refugees and asylum seekers
• Gypsy, Roma and Traveller learners
• learners eligible for free school meals (eFSM)
• young carers
• children at risk of harm, abuse or neglect

Not all learners from these groups will face barriers to learning or be vulnerable to underachieving. Learners from these groups may face a range of barriers to achieving their potential and will, therefore, require different solutions and support targeted towards meeting each of their individual needs. In addition, learners may belong to several of the above groups at the same time, depending on their individual circumstances.

The list of groups in not exhaustive. Learners not in these groups may be considered vulnerable or disadvantaged, including specifically as a result of COVID-19. For example, some learners who would not have been considered vulnerable or disadvantaged pre-COVID-19 may require additional support because of their experiences during lockdown periods. Learners educated through the medium of Welsh from homes where Welsh is not spoken may also require additional support, especially where they also face other barriers to learning. This may also be the case for those learners where English or Welsh is not their first language.

We know most learning will have been impacted in some form over recent months, with more significant impacts expected in vulnerable or disadvantaged groups. There is also a specific impact on those in qualifications years in 2021 – those in Years 11, 12 and 13. This is linked to a concern that, upon leaving their school or setting, these young people might not progress to a positive destination in education, employment or training. The Welsh Government has
announced additional funding to support learners as part of the response towards recovery and progression since the pandemic.

The guidance included in this document is intended to support schools and settings to ensure an inclusive approach. While application of the guidance will disproportionately benefit vulnerable and disadvantaged learners, it will ensure benefits beyond the groups listed above; since what works for our vulnerable and disadvantaged groups will likely benefit all learners.

The Welsh Government recognises the significant difficulties faced by local authorities and schools and settings in delivering services and meeting their statutory duties, including learners with SEN/ALN and EOTAS learners, during lockdown periods.

It is recognised there will be particular challenges for work-based learning and ensuring learners within the workplace for work experience, or work placements, are safe at all times. Good communication with employers, learners and their families will be vitally important.

This guidance provides advice and sets expectations relating to support for vulnerable and disadvantaged learners. The situation will be monitored carefully as we continue to progress through this academic year and this guidance will be updated to reflect changes in circumstances as necessary.

For the purposes of this guidance, the term ‘schools and settings’ includes:

- maintained early years settings
- maintained primary, middle, secondary and special schools
- Pupil Referral Units (PRUs)
- further education institutions
- community based adult learning
- work based learning and apprenticeships
- specialist colleges

Independent schools and non-maintained early years settings may wish to take into consideration aspects of this advice they consider to be relevant and/or helpful.
Legislative background

The basic curriculum

On 23 June 2020 the basic curriculum requirements for Wales and associated assessment arrangements for schools and non-maintained nursery settings were suspended as part of the Coronavirus Act 2020. This was intended to provide schools and settings with the necessary space and flexibility to respond to the COVID-19 pandemic. This suspension is reviewed on a monthly basis, and remains in place at time of publication.

We are mindful of the need for schools and settings to continue to adapt their approach to learning as they negotiate a range of challenges and we will take this into account in all decisions. Our focus will continue to be the needs and interests of learners in these unprecedented times.

Education other than at school

Local authority responsibilities in relation to education other than at school (EOTAS) remain in force. EOTAS is education provision designed to meet the specific needs of learners who, for whatever reason, cannot attend a mainstream or special school. Section 19(1) of the Education Act 1996 places responsibility for arranging the provision of EOTAS on local authorities.

“ Each local education authority shall make arrangements for the provision of suitable education at school or otherwise than at school for those children of compulsory age who, by reason of illness, exclusion from school or otherwise, may not for any period receive suitable education unless such arrangements are made for them. ”

Section 19(6) of the Education Act 1996 defines suitable education in relation to a child or a young person as efficient education suitable to the age, ability and aptitude and to any special educational needs the child may have.
Where provision is delivered through PRUs, the local authority must deliver a broad and balanced curriculum together with sex education.

**Special educational needs**

There have been no modifications to the statutory duties of local authorities in respect of SEN. The duties of local authorities arising from the Education Act 1996 and the Education (Special Educational Needs) Regulations (Wales) 2002 remain in force, and the Special Education Needs Code of Practice for Wales 2002 still applies. The Code focuses on removing barriers to participation and learning. It provides practical advice to local authorities, maintained schools, early years settings and others on carrying out their statutory duties to identify, assess and make provision for learners’ special educational needs.

**Operational guidance**

Detailed guidance for all schools and settings in relation to the operational arrangements that should be considered generally and apply to all learners is provided by the Welsh Government in *Operational guidance for schools and settings*. Guidance for Further Education Institutions and post-16 is also available. The guidance provided in these documents is supplementary. This section relates specifically to the additional considerations relevant to supporting vulnerable and disadvantaged learners.

**Attendance**

Detailed guidance on attendance arrangements, including use of attendance codes, can be found in the *Operational guidance for schools and settings* and *Operational guidance for Further Education and Post 16*. Where a parent/carer wishes their child to attend school, arrangements should be put in place to support attendance and the relevant information incorporated into risk assessments.
Engaging with, and supporting, children, young people and their families

The relationship between parents/carers and local authorities, schools and settings is particularly important at this time. This applies to all learners and families but is likely to be of more significance to parents/carers of vulnerable and disadvantaged learners, who may have specific health concerns or other concerns associated with attending their school or setting. For example, some learners, including learners with SEN/ALN or Black, Asian and minority ethnic learners, Gypsy and Traveller learners, or their parents/carers, may be anxious about a perceived risk of contracting, or the consequences of contracting, COVID-19. Also, young carers, for example, might be worried about potentially taking the virus home to an unwell relative, or may be concerned about the needs of the person they care for were they to attend school or college or have to self-isolate.

Understanding the specific needs and barriers faced by individual learners and seeking to address and provide reassurance by explaining the protective measures being implemented is paramount.

Schools and education settings should reassure learners and parents/carers of the measures they are taking to reduce risk. This may include providing parents/carers with information on the:

- health and safety arrangements, such as social distancing practices in relation to arriving and leaving schools and settings, including minimising contact between adults dropping off and collecting children, and robust hand-washing and respiratory hygiene
- class organisation, including the number of staff and learners in a class
- arrangements for access to the curriculum
- cleaning arrangements in place throughout the school day and after using specific equipment and/or resources
- use of face coverings by staff and, where relevant, learners and arrangements for those learners for whom the use of face coverings will prove problematic
- the availability of rapid testing for asymptomatic adults and older learners

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• arrangements to be made during break and lunchtimes
• arrangements for personal care, for example changing and feeding
• arrangements in place for visiting professionals, for example allied health professionals such as therapists, school nurses and local authority specialist staff

Schools and education settings should consider how youth work approaches could be used to help address concerns learners have about their attendance at their school or setting, particularly where support from youth services may have been given during the course of the pandemic.

As well as the groups of learners who will need reassurance about attending their school or setting because of health concerns associated with COVID-19, there are likely to be groups of learners who will need reassurance and/or support because they have had reduced contact with their school or setting during the course of the pandemic, or have become disengaged from education altogether. There is a risk that, in the future, those disengaged learners will become NEET (not in education, employment or training). The Youth engagement and progression framework is in place to reduce the number of young people who may become NEET.

Some learners will also be reluctant to attend due to negative associations and experiences, for example if they were bullied in school and had more positive experiences during periods of limited attendance at schools or settings.

Some learners may have developed anxiety or other mental health issues as a result of the impacts of COVID-19. In addition, COVID-19 may have increased or exacerbated pre-existing anxiety and other mental health issues. Learners who are experiencing anxiety or other mental health issues may be reluctant to, or become increasingly anxious about, attending their school or setting as a result of their attendance being disrupted.

Some learners will also have been witness to and/or experienced abuse, harm or neglect during periods away from settings. Learners who have additional complexities at home may also have additional anxiety and support needs.

Staff based in schools and settings with attendance and parental/carer
engagement responsibilities will be key to identifying learners who would benefit from support and to engaging and supporting carers and families. Understanding the cause of their concern will be essential in identifying how they can be supported. This may involve a conversation with a trusted adult at the school or setting who would be best placed to talk to them about their concerns and build their confidence. This will be vital to help the learner to feel their voice is heard, allow them to visualise what returning to school will look like for them; and re-establishing and maintaining the staff member’s role as a ‘safe base’ within the school or setting. Other professionals, such as school and community-based counsellors, Child and Adolescent Mental Health Services (CAMHS) staff and youth workers, may be able to assist with these conversations, given their expertise in developing supportive relationships with children and young people. These conversations will also provide the essential foundation for contingency planning and continue to prepare for potential future national or local lockdowns.

For learners who have not been accessing onsite provision for periods during the pandemic, schools and settings should use the knowledge they have of learners to help ensure they can return to onsite provision as soon as possible. To support this transition, schools and settings may wish to consider visits to the school or setting, using social stories, contact with the learner and their family or any other approaches that the school, setting or local authority would normally use to enable the learner to return. It may be appropriate to consider flexible attendance patterns in the short term, or a phased return, to enable the learner to build their confidence.

Where the provision put in place has not been successful in supporting learners to attend school, the school or setting should contact the local authority for advice and follow local procedures for making referrals to the Education Welfare Service and/or other appropriate services, such as Educational Psychology Services.

Barnardo’s and Action for Children produced a report Lessons from Lockdown: Supporting vulnerable children and young people returning to school and learning. The report includes useful tips on how to support children and young people who have not been accessing onsite provision as they return to their school or setting.
The Education Endowment Foundation has also produced a range of resources to help practitioners to support learners as all learners return to onsite provision.

**Transition**

Transition to a new school or education setting can be an unsettling time for learners. The current situation may have exacerbated any anxieties due to, for example, established transition arrangements having to be modified. The effective transition of learners from vulnerable and disadvantaged groups is particularly important, both in terms of their well-being and their wider learning.

Ideally, the process of transition should be continuing, as far as is possible, albeit possibly via different methods than have been historically used. Local authorities, schools and settings should have well-established arrangements in place, including partnerships with colleges and other learning providers for learners who are transitioning into post-16 learning. Education settings will have started sharing information with parents/carers and the next place of learning. Schools and settings should learn and build upon lessons learnt during 2020 and consider how best to support learners’ transition from one school or setting to another.

The local authority and/or school or education setting should contact learners and their parents/carers to explain how the transition process will be managed and should include learners, their parents/carers and where appropriate, support agencies, in discussions that relate to transition, including the provision to be made. Such discussions will need to consider the implications of minimising contact and possibly transport, medical/health-related issues, financial support, and any increased support need for the learners and their family.

Learners may be anxious about how their learning experience may look different, particularly in a new and unfamiliar environment, and older learners may also have concerns about future educational, training and employment prospects after completing their learning. There are many examples where schools and settings have, for example, undertaken virtual tours for learners and their parents/carers. In addition, settings may have been providing further
information, advice and guidance via direct contact, published materials and on websites. Consideration should also be given to whether bespoke information and/or ways of providing that information would be required for new entrants, for example learners with SEN, learners with EAL/WAL or learners who are from the Gypsy, Roma or Traveller communities, and care leavers.

There is a concern that more young people will be at risk of disengaging as a result of the COVID-19 crisis. It is important that learners who have disengaged, or who are at risk of disengaging, and who are transitioning into post-16 settings, are identified and supported into a positive destination (whether education, employment or training) through the Youth engagement and progression framework. Where schools and settings have concerns about learners making a positive transition into education, employment or training, they should raise this with the local authority engagement and progression coordinator and Careers Wales, so that appropriate support can be put in place.

Social distancing

The Operational guidance for schools and settings and the Operational guidance for Further Education and Post 16 provide information on social distancing. The overarching messages are around:

- minimising contact between individuals wherever possible
- reducing the number of contacts between learners and staff
- keeping contact groups for both learners and staff apart where possible

The guidance goes on to state that for younger learners the emphasis will be on separating groups, and for older learners it will be on social distancing.

The concept of ‘younger’ and ‘older’ may be generally more appropriate for mainstream settings. For learners with SEN, for example, these concepts may be less helpful. Settings, therefore, need to use their personalised knowledge and update risk assessments to inform their planning for individual learners, including, for example, those learners who present challenging and complex behaviours.
The **Operational guidance for schools and settings** and the **Operational guidance for Further Education and Post 16** draw attention to the importance of minimising contacts and mixing between groups of people. This concept should be taken into account when considering the needs of learners with ALN, while delivering a curriculum that is broad and balanced. Schools and settings should take steps to limit interaction, sharing of rooms and social spaces between groups as much as possible.

Settings should consider the use of ‘consistent, small contact groups’, particularly for learners that cannot socially distance from staff or from each other.

**Transport**

Guidance for local authorities, schools and settings is provided in the **Operational guidance for schools and settings** and the **Operational guidance for Further Education and Post 16**. For the majority of learners, including those from vulnerable and disadvantaged groups, the general transport arrangements put in place for all learners will be appropriate. However, for some learners, in particular those with SEN, there will be additional considerations. The latest version of the operational guidance acknowledges this and provides further advice.

**The use of personal protective equipment**

The use of personal protective equipment (PPE) by staff should be based on a clear assessment of risk, taking into account each individual setting and the needs of the individual learner. The **Operational guidance for schools and settings** and the **Operational guidance for Further Education and Post 16** provide clear guidance on the use of PPE for different scenarios. This includes a link to the **Health and Safety Executive website** that provides information on the use of PPE in health and social care and non-healthcare settings.

The use of PPE with some learners, especially those with SEN, should be carefully considered and risk assessed by the school or setting.
Due to the individual needs of some learners, it may be the case that specific types of PPE will need to be used at different times of the day and for different activities. Settings must make clear the agreed arrangements for the use of PPE for each individual learner, which should be noted in their individual learning plan to ensure all staff are aware and use of PPE is consistent for individual learners by all staff.

The well-being of learners should be considered when deciding whether face coverings should be worn. Individuals who may find it difficult to use face coverings, for example some learners with SEN, should not wear them as it may inadvertently increase the risk of transmission. How a learner is likely to respond to the use of face coverings by others should also be considered, as should any potential impact on the development of speech, language and communication, particularly in the Foundation Phase.

When considering the use of face coverings, schools and settings will need to take careful and risk assessed decisions on individual circumstances, taking into account the needs and preferences of both individual learners and staff.

As noted in the operational guidance, the National Deaf Children’s Society has considered the impact of face masks on deaf children.

Exclusions

Exclusion should only be used as a last resort. Where exclusion cannot be avoided, the Welsh Government guidance Exclusion from schools and pupil referral units sets out the support schools, settings and local authorities must put in place for all learners who have been excluded from school and from pupil referral units.

The guidance is clear that other than in the most exceptional circumstances, schools and settings should avoid permanently excluding learners with statements of SEN and should make every effort to avoid excluding learners who are being supported through School Action or School Action Plus, including those at School Action Plus who are being assessed for a statement.
Schools and settings should also be particularly sensitive to exclusion issues where looked after children are concerned. Schools and settings will need to try every practicable means to maintain the learner in school and should seek local authority and other professional advice as appropriate.

The exclusion process

The outbreak of COVID-19 has had a number of implications for the exclusion process, due to the difficulties associated with holding pupil discipline committees and independent appeals panels. Consequently, in some instances, there have been delays in completing the exclusion process and in finding alternative placements for permanently excluded learners.

New regulations to make changes to some procedures that must be followed in the event of an exclusion are being prepared. The intention of the new regulations is to give greater flexibility to schools and settings, parents/carers and local authorities during a COVID-19 outbreak. They will apply to all maintained schools and settings.

Separate guidance will follow to coincide with the regulations coming into force.

It is essential that for those learners who were permanently excluded prior to, or during, periods where attendance at schools or settings has been limited as a result of the coronavirus pandemic, the local authority in which the learner lives makes arrangements as quickly as possible for the learner to continue in suitable full-time education, where it was not possible for the local authority to make such arrangements during lockdown periods. The local authority would have been responsible for ensuring continuity of learning for the learner throughout the course of the pandemic.

Avoiding exclusions and referrals to EOTAS

The disruption of the coronavirus pandemic may create a potential for an increase in challenging behaviour among learners who attend mainstream education. This will be particularly the case for those learners who were finding it
difficult to engage with education before COVID-19 and/or during the course of the pandemic, and who may struggle to adapt to the change in routine, including the more structured routines and expectations in relation to learning and behaviour, as all learners return to school.

Understanding the cause of the behaviour change can be a starting point to supporting the learner to modify and regulate their behaviour.

Schools and settings should consider adapting their behaviour policy to take into consideration the potential impact of COVID-19 on learner well-being and behaviour.

This does not mean lowering general expectations in terms of standards of acceptable behaviour. Rather, schools and settings should continue to focus on the needs of individuals, providing support as necessary, and ensure policies reflect the requirement for understanding and flexibility.

Schools and settings should also consider seeking advice from the youth service, which has expertise in dealing with young people with challenging behaviour, and which is already used under the Youth engagement and progression framework, to support young people who are most at risk of disengaging.

Further information about behaviour management in classrooms is available for primary schools and secondary schools.

**Peripatetic staff**

Wherever possible, the school or setting should facilitate the ongoing support for learners provided by peripatetic staff. This will be particularly important for learners with Special educational needs but will also have a wider impact on the learning and support of all learners. For example, partner services are essential in the effective delivery of personal and social education (PSE). Schools and settings should consider alternative delivery methods, such as external practitioners live-streaming presentations into the classroom, providing appropriate safeguarding measures are put in place.
Local authorities should provide advice to schools in their areas to ensure a consistent approach across the local authority area and that the provision for learners across the local authority is equitable in this regard.

**Participation**

Participation has important links with well-being and serves to meet children’s rights to participate in decision-making in their school or setting. It is important, therefore, that schools and settings facilitate the continuation of participation arrangements. It is also essential that all groups of learners, including those from vulnerable and disadvantaged groups, can take part.

Schools and settings will need to consider a range of arrangements for facilitating continued participation. Arrangements often involved meetings between groups of learners from different year groups. This approach may continue to be challenging, therefore, alternative models may need to be implemented, for example using suggestion boxes, online voting, setting up year-based participation groups or using tools available on Hwb.

**Provision of food and drink in schools for vulnerable and disadvantaged learners**

The [Operational guidance for schools and settings](https://gov.wales/guidance-supporting-vulnerable-and-disadvantaged-learners-html) reminds local authorities of their legal duties with regard to provision of food and drink.

Vulnerable and disadvantaged learners may require additional support to access food and drink in school, and local authorities should consider the needs of all learners when making arrangements for catering provision. Additional needs will vary considerably and may include issues around physical access, difficulties with communication, and allergies or special diets. These needs may be made more acute because of specific arrangements and controls put in place as a consequence of the COVID-19 outbreak. The individual needs of learners should be considered and support measures put in place.
Learning guidance

The Welsh Government has published guidance on learning in schools and settings and the Strategic Framework for learning delivery from September 2020 that applies to Further Education and Post-16.

The priorities for learning should be based on the principle that:

• the health and well-being of learners is paramount
• all learning should be purposeful
• learners should have the opportunities to develop skills that are relevant to them across a broad and balanced curriculum
• the curriculum, delivery and support should ensure that learners make progress that is appropriate to their needs
• schools and settings should work in partnership with parents/carers and where appropriate other professionals

Our guidance is clear that well-being continues to be a pre-requisite for learning. The experience of multiple lockdowns and not attending a school or setting for extended periods is likely to have had an impact on most learners to some degree, which may not be known for some time. As a consequence of their particular needs and pre-existing barriers to learning, it is possible that learners from vulnerable and disadvantaged groups will be hardest hit in terms of the impact on their well-being.

The Guidance on learning in schools and settings and the Strategic Framework for learning delivery note that learners who are not content, safe and secure will not learn effectively. They highlight that practitioners will need to have particular regard for learners who are not able to attend a school or setting at any point in time and how they can be supported remotely. It also provides information on developing and strengthening partnerships with parents, carers and learners. Further guidance on supporting the well-being of all learners can be found in the Guidance on learning in schools and settings and the Strategic Framework for learning delivery.

The Welsh Government has also developed a new whole-school approach
framework designed to help schools review their well-being arrangements and to develop plans to address any areas for improvement and to build on their strengths. Specifically the framework will support:

- the positive mental health and emotional well-being of all learners and staff
- the development and embedding of best practice
- consistency and collaboration between schools and partners
- activities such as training and awareness

The new framework on embedding a whole-school approach to emotional and mental well-being was published on 21 March 2021.

All learners who face barriers to learning benefit from approaches, both teaching and support, which are based on a secure understanding of the needs of the learner. This has not changed. Settings will need to consider whether the needs of learners, in terms of well-being and learning more widely, have changed and will need to make suitable adjustments to accommodate these. Settings will already be used to working with a range of professionals, such as school counsellors, CAMHS practitioners and youth workers, which are able to provide specialist advice, support and guidance.

If practitioners identify that a learner would benefit from additional support for their learning or for their well-being this support should be put in place. If the learner has a learning plan, for example a personal education plan (PEP) or an individual education plan (IEP), this additional support should be noted in the learner’s plan. The existence of a learning plan, however, is not a prerequisite for additional support – decisions should be based on the individual needs of learners.

The Welsh Government has introduced the ‘Recruit, recover and raise standards’ programme for 2020 to 2021. Additional support via this programme should be considered for vulnerable and disadvantaged learners.

The local authority and/or school or setting should engage with parents/carers and provide clear information on how learning will be maintained in cases where the learner is unable to attend due to medical, health-related or other issues. This information should include details on any curriculum resources including
specialist equipment and/or technology, approach to teaching and how this will be delivered, and the level of care, support and guidance to be provided by the setting or others.

The views of learners, where practicable, and their parents/carers should be considered when making decisions that affect them. The Welsh Government is committed to ensuring the rights of children and persons with disabilities and consulting with them helps give real effect to children’s rights under the United Nations Convention on the Rights of the Child (UNCRC), in particular to the right in Article 12 for those who are capable to express their views, feelings and wishes in all matters affecting them. Consulting children and their parents/carers is also more likely to lead to better decisions and provision agreed as being effective.

Now more than ever, the importance of person-centred practices for supporting vulnerable and disadvantaged groups of learners cannot be underestimated. Local authorities, schools and settings will have been developing learners’ participation through person-centred practices. A key feature of the use of person-centred practices is that learners have the opportunity to express what is, and is not, working for them and what support they need.

Estyn has worked with the Association of Directors of Education in Wales (ADEW), the regional consortia and diocesan authorities to produce advice on how to continue with school and PRU business. This advice usefully captures principles for using technology and highlights practices adopted by schools and settings.

Specific considerations

Special educational needs

Learners with a statement of special educational needs (SEN) and the local authority duty to comply with the statement

The ability of the local authority and/or school or setting to fully meet the
educational requirements contained in the statement of SEN is likely to be dependent on many factors within the current context.

Some learners with SEN may not have been attending their usual setting. This may have made it difficult for local authorities and schools and settings to secure the range of provision for those learners both with, and without, statements of SEN. Schools and settings will have maintained contact with parents/carers during this time and should have been providing parents/carers with learning and support materials, resources and advice. However, it is recognised that while families are often best placed to understand the needs of their child, parents and carers are not professionals and many have experienced difficulties in meeting their child’s learning needs during the period of limited attendance at schools or settings.

The local authority and/or school or setting, should work with parents/carers, learners and, where appropriate, other agencies, to explore and agree any contingency arrangements which need to be put in place to amend provision set out in a statement as a result of COVID-19, should further local or national lockdowns be required.

The Minister for Education has the power to amend, temporarily, the statutory duties of local authorities. The use of temporary notices has not been used in this context. The statutory duties of local authorities, in respect of SEN are, therefore, unchanged.

The local authority still has a duty to arrange the special educational provision specified in the statement.

Support that learners with SEN receive from teaching assistants, support assistants, specialist education services and/or therapists

Learners with statements of SEN must continue to have their needs met. Local authorities must ensure that the special educational provision specified in the statement is made by the school or setting.

However, it is recognised that due to COVID-19, support systems may not currently be operating as they normally would. For example, staff in local
authorities, schools and settings and local health boards may have been redirected to other priorities within their services, and some staff may be subject to self-isolation.

There are many examples where local authorities, schools and settings, and partner agencies have worked creatively to provide practical and flexible approaches, including providing services remotely; this should continue, wherever possible and appropriate.

As noted above, allied health professionals, such as speech and language therapists, physiotherapists and occupational therapists, may have been using the NHS Wales Video Consulting Service rather than meeting clients face-to-face during the pandemic. The learner’s school or setting will be able to provide specific information on the provision of teaching/support assistants and therapists.

Where learners benefit from using hydrotherapy pools, an individual risk assessment should enable the practitioner to establish whether the learner can be on their own in the pool. If they need assistance, then ideally this should be from outside the pool, or, if not possible, with physical distancing in place or use of appropriate PPE. A risk assessment should be done in each individual case.

Local authorities, schools and settings must continue to ensure the individual needs of learners are fully considered. In determining appropriate follow-up, including advice, support and guidance, the needs of individual learners remains the primary consideration. Provision too must be based on individual need. It is not appropriate to apply ‘blanket policies’. Local authorities, schools and settings must be mindful not to restrict the access to professionals that learners with SEN may benefit from. To do so could be a breach of statutory SEN duties.

The Operational guidance for schools and settings clarifies expectations in relation to the role of staff and movement between schools and settings. In addition, Welsh Government guidance for live-streaming provides advice on engaging remotely. This may not be appropriate for all learners and should be considered on a case-by-case basis.

There is a clear expectation that services for learners with SEN must be
maintained.

**Reviewing the statement of SEN**

The duty on local authorities to review statements of SEN has not changed. Statements of SEN are reviewed at least annually. There are examples where local authorities and schools and settings continued with this arrangement remotely during the pandemic. There may also have been delays in obtaining the necessary advice from professionals. However, finalising these reviews and completing any that were unable to commence during the course of the pandemic should be prioritised to ensure the impact on learning and support is minimised. Specific consideration of the impact of COVID-19 should form part of statement reviews moving forward.

**The SEN statutory assessment process**

The duties of local authorities and schools and settings in relation to statutory assessment remain in place as do the timelines.

**Learners with individual development plans (IDPs) or individual education plans (IEPs) and special educational provision**

The new [additional learning needs (ALN) system](https://gov.wales/guidance-supporting-vulnerable-and-disadvantaged-learners-html), which involves learners with ALN having individual development plans (IDPs), is not yet in force. Some local authorities and schools and settings have begun to use IDPs, although statutory requirements relating to them do not yet apply. Some local authorities have, however, prepared IDPs with the agreement of parents/carers.

Many learners with SEN do not have statements. They should have an individual education plan (IEP). Both IEPs and IDPs should outline the needs of the learner and what steps the school will take to meet those needs. A mainstream maintained school’s governing body must use their best endeavours to secure the special educational provision required by a learner with SEN.

The ability of local authorities and schools and settings to fully meet the needs of
learners with SEN, whether they have a statement or non-statutory plan, may have been affected during the period of school closure. The local authority and/or school should consider the needs of individual learners, including any direct impact as a result of COVID-19, to determine what support the learner needs in terms of their well-being and wider learning. This review and determination of support should be documented in the learner’s plan.

**Respite provision for learners with SEN/ALN**

There are examples where maintained special schools and settings have increased and extended their respite provision. It is important that the local authority provides clear information on the availability of respite provision at this time.

**Rights to appeal decision regarding SEN**

Parents/carers and learners still have the same rights of appeal. In the first instance, parents/carers should seek to resolve concerns directly with the school and/or local authority. Local authorities are obliged to make arrangements for parent partnership services. These provide parents/carers with advice and information relating to SEN. In addition, local authorities must make arrangements for disagreement avoidance and resolution services and independent advocacy services. These should be known to parents/carers. Parents/carers and learners who have a right to appeal to the Special Educational Needs Tribunal Wales (SENTW) can still make appeals.

**The Special Educational Needs Tribunal for Wales (SENTW)**

The Special Educational Needs Tribunal for Wales (SENTW) is an independent tribunal. It deals with appeals against certain decisions about a child or young person and their education. It also deals with discrimination claims of unfair treatment in school in connection with a disability.

The statutory functions of SENTW have not been amended by the Coronavirus Act 2020.
The over-riding objective is that SENTW deals with appeals and claims fairly and justly.

The President of the Tribunal has various case management powers set out in the *Special Educational Needs Tribunal for Wales Regulations 2012*, in accordance with the overriding objective.

**SENTW’s website** provides useful material on their role, including the decisions that SENTW can consider, and a range of information and resources for parents/carers, children and young people, and local authorities.

It is in the best interests of children and young people and their parents/carers that where possible any queries or disputes in relation to SEN are resolved promptly and locally, for example at school or local authority level. Local authorities, schools and settings, and parents/carers need to work in partnership. Parents/carers are advised to contact their education provider in the first instance.

The Welsh Government publication *Information for Parents and Carers of Children and Young People who may have Special Educational Needs* provides guidance aimed at helping parents and carers understand the support that is available for them, including the role of parent partnership services. Each local authority in Wales is required to provide advice and information about SEN matters for learners with SEN and their parents/carers.

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

Local authorities, schools and settings, further education colleges (FEIs) and health boards have been busy preparing for the implementation of the Additional Learning Needs and Education Tribunal (Wales) Act 2018. The system created by the Act is not yet in force. The system created by the Act is due to commence on a phased basis from September 2021.
Learners educated other than at school (EOTAS)

Returning to education

While all learners will have been affected by the pandemic, the impact on EOTAS learners is likely to have been more significant due to the vulnerability of this group of learners. Impacts could include:

- interruptions to education
- increased anxiety
- increased behavioural issues

These are discussed in more detail below.

Other negative consequences might have included changes to routine, sleep and lifestyle pattern, disengagement from learning, loss of motivation and/or loss of confidence. Schools and settings should be mindful of these in considering what support is required for learners from September 2020.

EOTAS provision is diverse and includes both academic and vocational education such as GCSEs, ASDAN Youth Achievement Awards and Duke of Edinburgh’s Awards.

During the COVID-19 outbreak, settings such as PRUs, independent schools and settings and FEIs may have been able to provide online learning and/or education packs for learners to continue their education. COVID-19 presented significant challenges for some types of EOTAS settings to provide resources for learners to learn from home, due to the practical nature of their education. Consequently, some EOTAS learners are likely to have experienced a more significant interruption to their education than their peers during the COVID-19 outbreak.

As well as the challenges associated with providing some EOTAS learners with resources to continue their education, education could have been interrupted due to learners disengaging from education or from learners not having an education placement during the COVID-19 outbreak. This is particularly the case
for learners who were excluded just prior to, or during, the COVID-19 outbreak. Local authorities would have faced considerable challenges in finding alternative education placements for learners during the outbreak and it is likely these learners will have experienced an interruption to their education.

**Addressing interruptions to education**

Local authorities will need to continue to work with providers to ensure plans are in place for all EOTAS learners to continue/resume their education. Where local authorities directly provide services, such as home tuition, the local authority should review learning plans.

Local authorities should prioritise learners who did not have an education placement during lockdown periods due to, for example, being excluded prior to lockdown. Learners themselves should be involved in the decision-making process, with their views taken into account in placement decisions.

**Increased anxiety**

The social and emotional disruption caused by the pandemic and the subsequent closures of education settings is likely to have increased or exacerbated anxiety and other mental health issues. This is particularly the case for some EOTAS learners who cannot attend mainstream school due to experiencing anxiety or mental health issues. EOTAS learners who have not been accessing onsite provision may, for example, have felt happier at home during lockdown periods and feel reluctant about returning to their setting or may feel increasingly anxious about returning to their setting due to becoming disconnected from their setting as a result of their attendance being disrupted.

**Addressing anxiety**

Local authorities should work with providers to put in place transition plans for EOTAS learners who are anxious about returning to their setting if they have not been accessing onsite provision to ensure they are supported through the transition back to their setting and do not disengage from education. There are
various services within local authorities who can advise on transition planning, including the education welfare service, the counselling service, the youth service, and the local authority engagement and progression coordinator.

Communication and conversations will be critical to supporting learners throughout the transition process. Staff should encourage learners to discuss their questions and concerns. Learners should recognise that it is normal that they may experience different reactions and be encouraged to talk to staff if they have any questions or concerns, especially around COVID-19. Information should be provided in an honest, developmentally appropriate manner.

**Increased behavioural issues**

EOTAS provision is necessarily different to mainstream education and, while concerned with educational progress, providers focus on helping learners address and overcome barriers which are preventing them from accessing mainstream provision and from participating in education. Learners attend EOTAS for many reasons, including having challenging behaviour associated with, for example, having social, emotional and behavioural difficulties (SEBD).

There is potential for an increase in challenging behaviour amongst EOTAS learners due to experiences during COVID-19. It is also possible that some learners who had been making progress with behaviour prior to COVID-19 may now need further support due to not having the structured routine and support provided by their setting during lockdown. Settings should consider amending their behaviour policy to take into account the impact of COVID-19 on the well-being and behaviour of learners. Risk assessments should also be undertaken, as appropriate.

It may be necessary for settings to put in place pro-active strategies to support learners, and to adapt responses to challenging behaviours to take account of the disruption that has been experienced and to give learners the support they need to transition back into their setting. Settings should also work with other agencies to ensure that learners can access mental health support and counselling, as appropriate. Settings may find these case studies useful in developing arrangements for the next academic year.
Learners from low-income families

It is at the core of our education system that learners from low-income families achieve their best educational outcomes. Eligibility for free school meals (eFSM) is used as a proxy indicator for deprivation. We have seen some important progress over recent years, with learners from disadvantaged backgrounds achieving improved educational outcomes. However, most of these learners are still not achieving their full potential. The COVID-19 outbreak risks undoing the progress made over recent years.

Learners from low-income families may need a range of support to process, and recover from, not attending onsite provision during periods of limited attendance at schools and settings. This may include support for their mental health and well-being, as well as additional support with their learning.

Ensuring learners from low-income families actively re-engage in education when they return to their school or setting may be a challenge. For learners returning to onsite provision, consideration of needs on an individual learner basis should be undertaken as soon as possible and an individualised programme of support and intervention should be put in place.

Schools and settings may need to consider how they can adapt existing parenting or family learning programmes to better support parents/carers to support their child’s learning.

The Welsh Government’s key programme for supporting disadvantaged learners is the Pupil Development Grant (PDG) which is at a record £110 million for 2021 to 2022. During 2020 to 2021 schools and settings were provided with greater flexibility in terms of the use of the PDG, so that it can be targeted to address local need in the context of COVID-19. Priorities might include, for example, ensuring practitioners receive refresher professional learning on trauma-informed practice and/or adverse childhood experiences (ACE) awareness, or additional focus on the ‘tracking’ of learner progress to help the learner progress to the next stage of their learning.

Schools and settings should continue to consider how to implement effective practices to support learners from disadvantaged backgrounds, and this should
be at the heart of school development planning. The Welsh Government continues to advocate the use of the **Education Endowment Foundation’s Teaching and Learning Toolkit** to support planning. The Education Endowment Foundation has produced a range of resources to support practitioners tackle the attainment gap, which are specifically relevant to the COVID-19 context.

Estyn has also produced a range of best practice reports to support schools and settings, including one on **supporting disadvantaged and vulnerable learners**.

The PDG strategic advisers based in each regional consortia are the point of contact for all schools and settings on effective and evidence based approaches for supporting learners from low income families. They can provide support and guidance on:

- appropriate interventions based on the latest evidence
- using whole-school approaches
- the benefits of tracking
- supporting evaluation of current practices
- facilitating regional support networks

In the current circumstances more than ever, the strategic advisers can support schools and settings to ensure the best use of their PDG allocations to support disadvantaged learners as we move into the new academic year.

## Cost of the school day

Given the current challenging economic circumstances for many families, and the likelihood of this deepening over the coming months with significant increases in the number of families in receipt of benefits anticipated, it is essential that schools and settings consider ‘the cost of the school day’ when planning their core business and activities or events.

Children in Wales has produced a **suite of guides** for schools and settings covering key aspects in addressing the cost of the school day, including
understanding the causes and impact of living in poverty, food and hunger, and school uniforms.

Schools and settings should be mindful when setting their uniform policy for the 2020 to 2021 academic year as many disadvantaged families may not be able to afford additional items of clothing. Further guidance on school uniform is provided in the Operational guidance for schools and settings and in the Statutory guidance for school governing bodies on school uniform and appearance policies.

The Children’s Commissioner for Wales’ resources are a tool for learners, staff and governors of schools and settings to map the costs that might be difficult for children and families to afford – both over the course of the school day and over the school year. The resources can support schools and settings to find practical solutions to reduce the cost of the school day.

Care-experienced learners

Many care-experienced learners, including looked after children and adopted children, will have found lockdown difficult. Due to lockdown measures, some children will have had limited face-to-face contact with their birth families and their support network, including social workers. For some families, lockdown will have put pressures on foster placements leading to placement breakdowns. For some children, lockdown measures will have made it difficult to maintain contact with friends and these relationships will now need to be re-established.

These circumstances may have resulted in care-experienced children feeling isolated and contributed to increased trauma and attachment issues. Many schools and settings have received trauma and attachment training, which is invaluable in being able to fully support care experienced learners. Further information on trauma and attachment is provided in the Operational guidance for schools and settings.

All maintained schools and settings in Wales must have a designated person for looked after children with responsibility for promoting the educational achievement of looked after children. Essentially, the designated person is
responsible for ensuring the needs of looked after children are met within the school or setting. A key part of the role is working with others to ensure the well-being of looked after children is monitored effectively and their welfare needs are addressed.

Every looked after child should have an effective personal education plan (PEP), which should describe what needs to happen to help them reach their full potential. While it is recognised there will be practical implications in the delivery and review of PEPs during this current time, the local authority should continue to work in partnership with the learner and the school (especially the designated person), to develop and review the PEP in light of any changed circumstances, so that it fully reflects the needs of the learner, remains up to date and is implemented. PEPs and guidance are available from the local authority looked after children in education (LACE) coordinator.

While many learners will have struggled during this period, it’s important to note that for some the experience will have been a positive one. Some learners may have engaged better with their learning through a distance model and some, including care-experienced learners, have thrived from a personal and well-being perspective, for example as a consequence of spending more time with their families or foster families and building secure attachments. We must recognise, learn from and build upon the positive experiences and aspects. However, a positive experience may also mean some learners will be reluctant to return to school for this reason and may need support to overcome this.

**Young carers**

Young carers may be concerned about returning to school if they have not been accessing on-site provision. They may worry about how the person they care for will be supported while they are at their school or setting. They may also be concerned about transmission of the virus and the risks of taking the infection home to parents/carers, siblings or other family members who are unwell or who have care and support needs that make them vulnerable to illness or infections.

They may have experienced an increase in caring responsibilities during the pandemic; either in the number of hours they are caring, the type of tasks they
have been carrying out or in the number of people they are caring for. This may mean that a young carer has not been able to fully engage in home learning and has fallen behind in their studies, which may cause anxiety about returning to school. Increased caring responsibilities may also have made it difficult to maintain communication with friends or wider support networks.

We know that many children and young people don’t identify themselves as being in a caring role, or they don’t tell school staff that they are a young carer. Schools and settings can play an important role in helping young carers understand their rights under the Social Services and Well-being (Wales) Act 2014. All young carers have the right to a carers’ needs assessment and to have any eligible needs for support met. This is not dependent on any individual they are caring for having a local authority needs assessment and identified care and support needs. In November 2019, the Welsh Government published a short guide to unpaid carers’ rights.

The Welsh Government also funded Carers Trust Wales to produce guides and lesson plans, which were launched in 2020, to help schools and settings improve their understanding of the needs and legal rights of young carers. Also, in 2019, Estyn published the thematic review Provision for young carers in secondary schools, further education colleges and pupil referral units across Wales. Schools and settings may find their recommendations useful in planning support for young carers.

Young carers and their families should be encouraged to discuss concerns about returning to education with their school or setting and any other agencies working with the family if they have not been accessing onsite provision. A multi-agency approach could be beneficial in finding ways to support a return to school. Schools and settings could also offer information about the help and safeguarding plans they have put in place to protect their learners, and the support in place to help young carers with their studies.

More generally, a young carer can access a range of online information and advice, or other forms of support, which can include local authority young carers’ services. Information about how to access these can be found on their local authority website or by calling their local authority. More than half of local authorities, either directly or through their young carers’ service, are offering a
Young Carers’ ID card, which a young carer may find helpful to show to teachers and other school staff, highlighting their caring responsibilities.

Young carers can also access support via local or national carers’ organisations such as Carers Trust Wales or Carers Wales, or a local carers’ centre.

Learners from Black, Asian and minority ethnic communities and those who have English or Welsh as an additional language (EAL/WAL)

Learners and families from Black, Asian and minority ethnic backgrounds may have concerns about their increased vulnerability to COVID-19 and the potential risks associated with their child returning to school, particularly if they have not been accessing on-site provision. In particular, the risk of a learner taking the infection home to family members who may be vulnerable to illness or infections.

Where learners have English or Welsh as an additional language (EAL/WAL) they may not have used their language skills during the lockdown period and they may have lost confidence. This might lead to anxiety or disengagement from school.

Parents/carers of learners with EAL/WAL may not have the English or Welsh language skills to support their children’s distance learning. There can be particular challenges engaging with families with low levels of literacy or with EAL/WAL. This may have been exacerbated by a lack of access to easy to read text or audio information.

Guidance for parents/carers has been published and is available in a range of languages.

Access to materials in home languages can be an issue. Some local authorities have developed guidance for schools and settings to emphasise the barriers that learners with EAL/WAL face at such a challenging time. This includes guidance on suitable websites to promote learning, banks of resources to download, and support for schools and settings in using visual and audio resources. It reminds staff of the importance of encouraging families to use home language for
learning where skills in English or Welsh are not well developed. There are examples of local authorities having bilingual staff in place providing support and feedback for learners in their home language where needed.

Learners with EAL/WAL may need extra support with learning and to refresh their language skills. We must reassure learners and their families and give them the confidence they will receive all the help and support they need.

During this period, local authority minority ethnic achievement services have been working with schools and settings, learners and their families to support learners and their families and share good practice across their local authority areas. In some local authorities, staff report that three-way calls between families, schools and settings and the EAL/WAL services have proved beneficial. They have helped to ensure parental understanding of how they can best support their children’s learning and get access to resources.

**Gypsy, Roma and Traveller learners**

Anecdotal evidence from local authority Gypsy and Traveller service providers and via the Welsh Government’s Gypsy, Roma and Traveller Stakeholder Group is that there has been a higher level of disengagement of learners within these communities during the course of the pandemic. Issues cited included concerns about exposure to the virus, a lack of access to learning materials, late acquisition of digital equipment and connectivity and instances of lack of sufficient and appropriate space to engage with remote learning.

With regard to delays in access to digital devices and connectivity generally, local authorities have worked hard to supply equipment and internet access for these groups. However, a minority still report that the quality of ICT equipment, internet access and the limited digital skills of some learners and their families continue to be barriers to learning.

For some families, particularly in some Gypsy and Traveller communities, digital technology may not be a chosen method of interaction. It is best therefore, to include a mix of media that matches the needs of the learners and their families. We know in many instances, work packs were provided to learners during
lockdown.

There is also a possibility that historical poor experiences of education among some parents/carers may limit their ability to support some aspects of their child’s formal learning.

Building better relationships with these groups is key to understanding the needs of learners and their families and tailoring the support accordingly. There can be a lack of mutual understanding between schools and settings, and families which may challenge learners’ engagement and attainment. These include cultural barriers where families may not understand what schools and settings expect, while schools and settings may not understand the extent of support families may need.

In the best-case scenarios, there is a well-embedded multi-agency approach to supporting individual families and learners in these groups. Where this is the case, schools and settings and support services have continued to build on already well-established relationships and seek to understand the communities they serve.

The Gypsy Traveller Forum – the Welsh Local Authority Gypsy Traveller service provider network – is regularly discussing and monitoring support and return to school levels for these groups group of learners and sharing effective practice.

**Children at risk of harm, abuse or neglect**

Learners will have encountered different experiences and home environments during lockdown periods and all staff should be reminded of their safeguarding duties within the statutory safeguarding guidance for education settings *Keeping learners safe* and under the *Wales Safeguarding Procedures*.

The role of the designated safeguarding person (DSP) will be vital and all staff and learners should be informed of who the DSP is and how to contact them. Accessing a trusted adult, or the DSP, may be more difficult with efforts to minimise contact so schools and settings should consider how learners can talk to them privately. *Guidance for education settings* is available.
Schools, settings and children’s services should continue to work closely together to ensure every child and family has the support needed. Local authorities will already have a range of working practices in place to ensure that safeguarding partners can work together to keep learners safe.

The Welsh Government has produced guidance to remind practitioners working across agencies of their responsibilities to safeguard learners and to support them in responding to concerns about learners at risk. The guide links to, and should be used with, the national Wales Safeguarding Procedures.

Preparing for a further lockdown or blended learning approach

The UNCRC’s right to an education applies without exception, regardless of the scenario or any barriers to learning faced by individuals. A further lockdown or a period of blended learning does not absolve local authorities of their duty to provide a suitable education. However, it is recognised that the duty may need to be implemented differently for some learners for periods of time.

Local authorities, schools and settings should prioritise preparation for potential further national or local lockdowns to seek to ensure as little disruption as possible to the learning of vulnerable and disadvantaged groups.

Many schools and settings, including special schools and PRUs, provided a valuable service for vulnerable children and the children of key workers during lockdown.

As part of their planning, local authorities must now consider how they will continue to provide education and wider support for vulnerable and disadvantaged learners should there be future local or national lockdowns. This should include keeping schools and settings open. As part of this planning, local authorities need to consider how best to deploy resources, creatively and flexibly to meet the needs of vulnerable and disadvantaged learners, and their families. The Welsh Government recognises that any such response needs to be based on appropriate public health advice.
In planning arrangements for potential future lockdown, local authorities should reflect on the arrangements put in place during the previous lockdown, including strengths and areas for improvement, and feedback received from parents/carers and learners. Other sources of feedback and intelligence may also be available, for example from Estyn and the Children’s Commissioner for Wales.

The Guidance on learning in schools and settings and the Strategic framework for learning delivery set out expectations around contact with learners and duration of learning should there be a future lockdown or implementation of some form of blended learning approach. It is clear that all learners should be:

- contacted regularly to ‘check in’ – this will provide an opportunity to check on the safety and well-being of the learner, as well as to explore their learning experience and consider possible additional support
- provided with the duration of learning time they would have received were they in their school or setting, regardless of whether or not some of their learning is taking place at home or elsewhere – there will be exceptions to the implementation of this expectation, however, it should be the starting position for all learners

The public health situation will continue to be carefully monitored over the coming months and this guidance will be kept under review. Further, additional guidance will be provided, if necessary.

**Ensuring continuity of learning**

Schools and settings are expected to plan for a number of scenarios moving forward. This is to include any future lockdown situation. The learning and well-being needs of vulnerable and disadvantaged learners must be considered fully as part of that planning process.

Local authorities, schools, settings and partner agencies have shown great resilience to date. There have been many examples of creative and flexible ways of working. Local authorities, schools and settings will have identified aspects of their approaches that have worked well and those that may require
The Minister for Education is clear that the priority for all education settings continues to be the well-being of its learners.

Estyn has published a suite of reports that provide a brief overview of how education settings have supported learners’ well-being and learning. Separate reports are available on approaches from primary schools, secondary schools, special schools, pupil referral units and further education institutions.

In addition, Insights into how independent schools and specialist colleges have responded during the COVID-19 pandemic highlights the approaches taken by this diverse sector in supporting learners during the pandemic. The Estyn report presents a number of cameos that profile the work undertaken in relation to adapting learning, supporting transition, developing learners’ skills and establishing routines to assist in reducing anxiety.

The above publications complement Estyn’s report Learner resilience - building resilience in primary schools, secondary schools and pupil referral units. The report recognises the vital role that schools and settings have in supporting the mental health in building resilience of children and young people. The report may help education providers in considering relevant approaches.

The Education Endowment Foundation has produced guidance on Special Educational Needs in Mainstream Schools. The guidance aligns well with the Welsh Government’s ambition for inclusive education and Education in Wales: Our national mission, Action plan 2017 to 2021. The report states very clearly that ‘learners with SEN have the greatest need for excellent teaching and are entitled to provision that supports achievement at and enjoyment of school’.

The guidance provides useful materials on engagement with parents/carers, SEN misconceptions, high-quality teaching, and plotting overlapping needs.

Local authorities should consider what support schools and settings need in order to ensure the continued learning of children and young people facing
significant barriers to learning. This may be necessary, for example, to ensure learning objectives within statutory or other education plans are met, for example statements of SEN, IEPs or PEPs. Specialist staff in local authorities may be well placed to identify any gaps and provide schools and settings with advice on how to adapt their approach, including resources to better meet learning needs.

Local authorities, schools and settings should engage with parents/carers in order to ensure continuity of learning. The information gathered from this engagement can be used in discussions between the local authority, school or setting, and staff from other agencies, to ensure the work set and support provided meets the needs of learners.

Schools and settings must ensure that any learning materials are appropriate to the needs of learners. They must use their in-depth knowledge of learners to provide high-quality, differentiated learning activities and experiences for learners. Schools and settings must also give careful consideration to the appropriateness of remote or blended learning activities. Additional support should be provided to enable access to learning. Alternatives may include schools and settings providing materials via mail, post or hand-delivery. However, it might be that a multi-agency approach is required in order to support the continued learning of some individuals.

Local authorities, schools and settings should also review the availability of technology, equipment and other resources that may support learners with learning at home or elsewhere.

The ‘check-in, catch-up and prepare’ sessions in summer 2020 will have helped schools and settings review any outstanding accessibility issues their learners are experiencing, including access to digital tools. Support has been made available via local authorities, including £3 million additional funding from the Welsh Government, to specifically address the issue of access to hardware and/or internet connectivity.

Some learners may ordinarily have access to specialist equipment, toys and other resources. Local authorities, schools and settings should use their in-depth knowledge of learners and plan to ensure that learners are not disadvantaged
should their return to school be part or full-time, or during any future lockdown situation. Specialist staff may coordinate this and provide ongoing support to learners and their parents/carers.

**Multi-agency working**

The importance of multi-agency working and partnership at this time cannot be underestimated. It is especially the case in terms of the effective support of vulnerable and disadvantaged learners, for example where there may be a role for social care or specialist services in supporting the learner.

Innovative ways for ensuring multi-agency working will be required in the event of another lockdown. This was demonstrated during the recent period where schools and settings were closed to most learners, for example with multi-agency meetings and support for learners moving online, and will need to be built upon should another lockdown be implemented.

As a result of COVID-19, health practitioners may have been redeployed to other areas of work within the health board and this could feature more acutely if there is a significant increase in transmission rates in the future. Wherever possible, contact should be maintained with local authorities, schools and settings, and learners and alternative support arrangements discussed and agreed as appropriate.

**Statutory assessment/annual review process**

Wherever possible local authority officers, schools and settings, and multi-agency partners continued the SEN statutory assessment and annual review process remotely during lockdown. This included the work of local authority special educational needs panels. Educational psychologists and others, where they were able to, undertook assessments and consultations online. It is recognised that this will not always be possible, as some assessments or consultations require face-to-face contact or use of specialist equipment. Local authority specialist officers worked remotely to provide ongoing advice, support and guidance to
schools and settings, learners and their parents/carers, for example mobility officers worked alongside school staff to identify adjustments needed to meet the needs of learners.

Where legislation requires meetings to be held in relation to SEN, or other barriers to learning, they do not have to be held in person. Those responsible for arranging meetings should consider other ways of holding them, for example virtually. But in doing so, they will need to have regard to the importance of the parents/carers, and where appropriate the learner, being able to meaningfully participate. Their preferences for how meetings are held should be sought and taken into account.

Schools, settings, local authorities and their partners may wish to consider whether elements of these adaptations and innovations could be adopted generally as part of standard working practices. In any event, these sorts of adaptations will need to be implemented again should there be a further lockdown.

These principles apply beyond SEN. They should also be considered, for example, in the context of care and support plans and/or PEPs.

**Working with parents/carers**

Ongoing contact with families will be essential in the event of a further lockdown. It may be appropriate for individual members of staff to be allocated responsibility for ensuring that contact with parents/carers is maintained. Local authorities and/or schools and settings should keep in touch via telephone, e-mail, letter and/or by meeting online. Local authorities should also consider setting up designated helplines for parents/carers. In some situations, and where they are within the normal realm of practice in the circumstances, it may be appropriate for staff to deliver learning resources and equipment and to keep in touch by making socially distanced and safe visits to the home.

During previous lockdown periods, some local authorities and/or parent partnership groups produced bespoke information packs or resources for parents/carers. These focused on a range of issues including supporting
parents/carers in developing their child’s understanding of the current situation, establishing routines, reducing anxiety and supporting the return to school transition if they have not been accessing onsite provision. Some local authorities made these available directly to parents/carers and placed them online, including via social media. Schools and settings may have created virtual tours and shared these online to assist the transition process.

Many organisations, including local authorities, provided information and resources via their websites. Learning Disability Wales, for example, have produced a range of easy-read materials on COVID-19, including on well-being and mental health.

There is also a wealth of information and resources available on Hwb, which practitioners may find helpful in informing their engagement with parents/carers in the event of another lockdown.

**Annex: Contingency planning for vulnerable and disadvantaged learners**

The contingency planning tool (see below) has been made available to support practitioners in ensuring the learning and support of vulnerable and disadvantaged learners is maintained in all eventualities and is disrupted as little as possible during this academic year. The three scenarios that follow are intended to aid the planning that practitioners will already be doing for their vulnerable and disadvantaged learners.

While use of the contingency planning tool will disproportionately benefit vulnerable and disadvantaged learners, its wider use could also be beneficial; since what works for our vulnerable and disadvantaged groups will likely benefit all learners. For example, some learners who would not have been considered vulnerable or disadvantaged pre-COVID-19 may now require additional support because of their experience during the spring lockdown and/or the ongoing local and ‘fire-break’ lockdowns.

Local authorities, schools and settings should ensure as little disruption as possible to the learning of vulnerable and disadvantaged groups in the event of
further national or local lockdowns. Use of the contingency planning tool can support that planning process.

It is important when undertaking this process that the learner is at the centre of any planning and the appropriate input of parents/carers is also considered. Local authorities, schools and settings should consider an ‘active offer’ for the involvement of parents/carers in this process and identify effective solutions to facilitate involvement and collaboration despite the challenges of social/physical distancing.

There are circumstances where learners would be unable to attend school for health reasons irrespective of COVID-19 and they should be supported to learn from home if they are able to do so.

The **Operational guidance for schools and settings from the autumn term** provides the current Public Health Wales advice and support on issues including COVID-19-secure operations, transport, risk assessments, and health and safety.

The **Guidance on learning in schools and settings from the autumn term** also provides information on how to facilitate learning that is flexible enough to respond to changing conditions while providing for the well-being of all learners. The guidance provides advice on what learning priorities should remain constant including developing a blend of in-school and out-of-school learning, broad and balanced learning experiences, and partnership with parents/carers and learners.

Principle 2 in the **Recruit, Recover, Raise Standards: the accelerating learning Programme** also describes the focused support learners should receive during the current academic year.

Under no circumstances should learners or staff attend schools/settings if they feel unwell, have any of the identified COVID-19 symptoms or they have tested positive for COVID-19, or live in a household or are part of an extended household with someone who has symptoms of, or has tested positive for COVID-19.
Contingency planning tool

Learner’s name:

The following should be considered when developing a plan for support for learners during this academic year.

• The support the learner received pre-COVID-19 should be reviewed to ensure it is still relevant and reflects their experience during the spring and summer term closure.
• Support to transition back to school will be crucial for all learners, as their level of anxiety may be greater due to the length of time many have been away.
• Schools and settings should maintain regular contact and work with other professionals – such as youth workers, mental health support services, support workers and young carers services as appropriate – to support the return to school, including continuing to maintain regular contact with the learner’s social worker if they have one.
• Schools and settings should be alert to identify and support learners who exhibit signs of distress. Pastoral care and bereavement support should be planned for and put in place.
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