

14 March 2024

Dear

Access to Information (ATI) Serial Number: 20218 -Post-16 sub-group of the Additional Learning Needs Implementation Group

Information requested:

Thank you for your request which I received on 15 February 2024. You asked for information offered to local authorities as a consequence of the work of the post-16 sub-group of the Additional Learning Needs Implementation Group including what information has been offered to local authorities regarding 'reasonable need' for education and training for Wales' learners whose education and training needs cannot be met by a Further Education Institution and whose additional learning provision may be a specialist FE college.

Our response:

The information you requested is enclosed.

The role of Welsh Government was to facilitate the sub-group. Welsh Government was not involved in making decisions or influencing the group. The included flowchart was created by members of the group and shared as an example of how 'reasonable need' *could* be determined.

Next steps:

If you are dissatisfied with the Welsh Government's handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Welsh Government's Freedom of Information Officer at:

Information Rights Unit,
Welsh Government,
Cathays Park,
Cardiff,
CF10 3NQ

or Email: Freedom.ofinformation@gov.wales

Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. The Information Commissioner can be contacted at: Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire,
SK9 5AF.

However, please note that the Commissioner will not normally investigate a complaint until it has been through our own internal review process.

Yours sincerely

Annex A

Application of exemptions/exceptions

The Freedom of information Act/Environmental Information Regulations provide a right for anyone to ask a public authority to make requested information available to the wider public. As the release of requested information is to the world, not just the requester, public authorities need to consider the effects of making the information freely available to everybody. Any personal interest the requester has for accessing the information cannot override those wider considerations.

I have decided to withhold the following information:

[Describe the information being withheld and specify the exemption/exception being relied upon to withhold this information. Repeat as necessary.]

This Annex sets out the reasons for the engagement of section(s) **[insert sections]** of the **[Freedom of Information Act and/or regulation [insert regulation numbers] of the /Environmental Information Regulations]** and our subsequent consideration of the Public Interest Test.

Engagement of section [..] (name of exemption) of the Freedom of Information Act/ regulation [..] (name of exception) of the Environmental Information Regulations

The Welsh Government believes that **[describe the type of information e.g. the personal information of 3rd parties]** should be exempt from disclosure. **[Explain what harm/damage would be likely to result from the information being disclosed.]**

Public Interest Test

Note:

You must fully explain your public interest analysis in the response by setting out the public interest arguments both for and against disclosure. Your arguments will be considered by the ICO during the investigation of any complaint about the decision.

In order to satisfy the public interest test in relation to the exemption(s), it is necessary to conclude that the public interest arguments in favour of withholding the information are sufficient to *outweigh* the public interest arguments in favour of release.

Public interest arguments in favour of disclosure

Insert the factors favouring the release of the information.

Public interest arguments in favour of withholding

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Insert the factors favouring the withholding of the information.

Balance of public interest test

Explain on balance where the public interest lies and whether you have decided to withhold or release the information. Remember that if the public interest in releasing the information is equal to or outweighs the public interest in withholding, it should be released.