



# Be all you can be

## Hayes School

No 10. Special Educational Needs

### GUIDANCE AND POLICY FOR SPECIAL EDUCATIONAL NEEDS AND DISABILITY

Reviewed and updated: December 2020

Next review: December 2021

Status: statutory

#### Background

As early as 1978, the Warnock Committee recommended that the majority of children with special educational needs and disabilities (SEND) should be educated in mainstream schooling and the Education Act 1981 started to put this recommendation into practice. The Education Act 1993 took this principle further by enabling the Education Secretary to issue a code of practice for SEND. The code sets out guidance on all the aspects of SEND provision in mainstream and special schools, including the responsibilities of governing boards. Subsequent updates of the code have set the context for educating children with SEND firmly within education.

Today it is believed that every child needs to fulfil their potential and that this must apply just as much to children with SEND as to everyone else. This principle is now enshrined throughout our educational system. Standards of attainment have risen across all groups of learners, including those with SEND. However, the gap in attainment between children with SEND and their peers is still too large.

In 2008, the then DCSF established a committee of enquiry under the chairmanship of Brian Lamb. After a thorough investigation, recommendations were made for change in four key areas:

- Children's outcomes at the heart of the system.
- A stronger voice for parents.
- A system with a greater focus on children's needs.
- A more accountable system that delivers better services.

These recommendations were accepted in full and led to new guidance being issued by the then DCSF in March 2010. Increasingly, particularly since an extended definition of the term 'disability' was enshrined in legislation, the needs of children with SEND are coupled with those of disabled children.

In March 2011, the coalition government issued an SEND and disability green paper entitled 'Support and aspiration: a new approach to special educational needs and disability'. The green paper proposed wide-ranging reforms and revision of existing SEND legislation and practice. This was followed by a major consultation exercise with a large range of interested parties. At the same time, a number of 'pathfinder' schools tested some of the proposals in the green paper.

An evaluation report of the pathfinders' experiences was published in 2013 and the outcomes of these findings have been incorporated into legislation. The Children and Families Act was passed in April 2014 and part three of that Act deals specifically with special educational needs. A new code of practice for special educational needs and disabilities came into force on 1 September 2014.

**Key features of the SEND regulations and the SEND code of practice 2014 and accompanying guidance 2014 (as amended in January 2015)**

Under the SEND code of practice 2014:

- Local authorities (LAs) must publish a local offer describing the facilities and support available in the area for children with SEND and disabilities.
- LAs must involve children, young people and their parents in developing SEND provision.
- A single assessment process has been introduced which is more streamlined, quicker, and which involves children, young people and families much more fully. This means replacing the previous system of statements and learning difficulty assessments (LDAs) by a '0 to 25' Education, Health and Care Plan (EHC plan) which extends the rights and protection of children and young people with SEND through their early years, primary, secondary and further education and beyond into adult life. Since April 2015, EHC plans are also extended to include children and young people under any form of statutory detention who have SEND or disabilities.
- The LAs can authorise an EHC plan assessment for children or young people referred to it and then draws up and puts in place the EHC plan.
- The intention is that there will be improved co-operation between all the various services available to and dealing with children and young people with SEND, and very specifically between educational, health care and social care agencies.
- There is an offer of a personal budget for families that have a child or children who have an EHC plan. This does not usually mean that there is money for the family to spend but rather that the LA draws up an individual SEND budget plan for that child, tailored to their needs, by which the school at which that child is educated will try to meet his/her specific requirements. However, if the decision has been taken, for whatever reason, that the child is to be home educated, then an arrangement is in place under the Children and Families Act 2014 by which direct payment may be made to the family.

The intended effect of the code of practice is to ensure that:

- Children's special educational needs are picked up early and support is routinely put in place quickly.
- Staff have the knowledge, understanding and skills to provide the right support for children and young people who have SEND or are disabled, wherever they are.
- Parents know they can reasonably expect their local school, college and LA to provide support, either through an SEND support programme (which replaces the former School Action and School Action+ stages) or if necessary through an EHC plan. Parents are more closely involved in decisions about services. Children who currently have or had a statement of SEND, and young people over 16 who have an LDA may gradually be transferred to integrated assessment and a single EHC plan, which is completed as quickly as possible. The transition process should be completed by April 2018. However, no-one will be forced to lose their statement or be forced to transfer to an EHC plan.
- Parents have greater control over the services they and their family use:
  - Every family with an EHC plan has the right to a personal budget for their support.
  - Parents whose children have an EHC plan have the right to seek a place at any state-funded school, whether that is a maintained school or special school, an academy, free school or special academy.
  - Parents may also request a place at an institution operated by independent providers of special needs education.

## No 10. Special Educational Needs

### Guidance

The January 2015 guidance is a long and comprehensive document of 287 pages.

### The main headings contained within it are as follows:

- Principles.
- Impartial information, advice and support.
- Working together across education, health and care for joint outcomes.
- The local offer.
- Early years providers.
- Schools.
- Further education.
- Preparing for adulthood from the earliest years.
- EHC needs assessments and plans.
- Children and young people in specific circumstances.
- Resolving disagreements.
- Annex A - mental capacity.
- Annex B - improving practice and staff training in educational settings.

### References

- The Disability Discrimination Act 1995 as amended by Special Educational Needs and Disability Act 2001, Part 4 Education (DDA and SENDA), Section 175 Health Safety and Welfare Education Act 2002, The Children Act 2004; The SEND strategy 2004; The Disability Discrimination Act 2005; The Equality Act 2010.
- The Education Act 1996; The National Curriculum 2000 with The Education Act 2002 enabling greater flexibility in disapplication; and provision for vocational training (2004) as amended in the new National Curriculum 2014.
- The Green Paper DFE 2011.
- The Children and Families Act 2014.
- The Special Educational Needs and Disability Code of Practice 2014.
- The Special Educational Needs and Disability Regulations 2014.
- The Special Educational Needs (Personal Budgets) Regulations 2014.
- Special Educational Needs (detained persons) Regulations 2015.
- DFE guidance January 2015
- Funding for SEND and high needs students and young people March 2017.

### A MODEL SEND POLICY FOR A PRIMARY SCHOOL

This model policy is based on the Children and Families Act 2014 and the SEND code of practice plus accompanying regulations 2014.

### Introduction

Children come to school with a variety of needs. Each child has a right to have those needs recognised and met. By taking account of those needs and differentiating our resources and practice, we provide an inclusive curriculum to ensure the best possible progress for all of our pupils, whatever their disabilities. Not all learners with disabilities have special educational needs (SEND) and not all learners with SEND meet the official definition of disability, but this policy covers all of these learners.

Pupils have SEND if they have a learning difficulty or disability that requires additional support, that is, more than is normally offered in a classroom. We are aware of the need for parental involvement in the support of our pupils and seek fully to involve parents and carers in the SEND process and provision. All of the children on the SEND register are integrated fully into mainstream classes and supported as appropriate by all staff members.

## No 10. Special Educational Needs

### Objectives

The specific objectives of our SEND policy are as follows:

- To identify learners with SEND and disabilities and ensure that their needs are met.
- To ensure that parents are informed of their child's special needs and that there is effective communication between parents and school.
- To identify, assess, record and regularly review pupils' progress.
- To use the criteria identified by the Rochford report in order to record and reward pupil progress.
- To ensure that all pupils make the best possible progress and grow in confidence and self-esteem.
- To ensure that pupils with SEND and disabilities have equal opportunities to join in with all the activities of the school.
- To ensure that pupils express their views and are fully involved in decisions which affect their education.
- To promote effective partnerships and successfully liaise with and involve outside agencies to act together jointly in the best interests of the child.

To meet these objectives:

- Children with SEND will be identified as soon as is possible - we follow the approach outlined in the code of practice.
- According to their identified needs, children will be designated as needing:
  - SEND support within school as expressed in a school Individual Education Plan (ISP).
  - SEND provision supported by an Education, Health and Care (EHC) plan, drawn up by the local authority (LA) in liaison with local education, health care and social care providers who have contact with the family.
- The SEND register, which contains the names of all of the children with SEND, will be updated at least once a term.
- ISPs will be reviewed at least once a year with teachers, parents and carers, and involved agencies in attendance.
- Parents and carers will be kept informed at all times.
- Clear and up-to-date records will be kept at every stage.
- The LA has the responsibility to make EHC assessments and draw up EHC plans.
- The LA must work within prescribed time limits to produce an EHC plan (a maximum of 20 weeks).
- An annual review of the in-house SEND support or the EHC plan is arranged for the child and targets are updated and monitored.

### Roles of the governors and staff

The success of the school's SEND policy will be judged against the objectives set out above. Annual success criteria will be reviewed, and the governing board will report annually on the efficacy of the policy and the effectiveness of the provision.

The designated SEND governor is Alex Howarth, who will keep an overview of the SEND provision being made. The governing board, in conjunction with the Headteacher, has responsibility for the school's general policy and approach to provision for SEND children, including the allocation of resources.

The Headteacher is the designated responsible person in overall charge of the management of SEND provision and its funding. The Headteacher works closely with the SEND co-ordinator.

The SEND co-ordinator is responsible for the day-to-day implementation of the provision and is currently Debbie Torpey. The SEND co-ordinator is currently time-tabled to provide extra

## No 10. Special Educational Needs

support (both withdrawal and in class) to groups and individuals. Additionally s/he is responsible for:

- Liaising with and advising colleagues.
- Co-ordinating the provision for children with SEND, whether with or without an EHC plan.
- Maintaining the SEND register.
- Overseeing the records of pupils with SEND.
- Liaising with parents and carers of children with SEND.
- Dealing with SEND/EHC administration.
- Liaising with and co-ordinating the other external agencies involved with SEND and EHC planning.
- Managing the teaching assistants and individual support assistants.
- Contributing to the in-service training of staff.

The class teacher has a responsibility towards the children with SEND in their class. The class teacher has responsibility for:

- Planning and delivering a differentiated curriculum and collecting and gathering information.
- Liaising with parents and carers as well as external agencies, teaching assistants, other support staff and colleagues, where necessary.
- Planning, monitoring and evaluating ISP and EHC plan targets.
- Evaluating progress of ISP and EHC plan pupils.
- Attending INSET and training sessions.

Teaching assistants (TAs) who are directly involved with a child or group of children will liaise with the class teacher, parents/carers and SEND co-ordinator in order to plan for, and meet, the needs of that child. Regular support and monitoring will be provided by the SEND co-ordinator. The school provides, wherever possible, TAs to support children with ISP and EHC plans in the classroom.

### **Admissions arrangements**

We are legally obliged to admit any child whose EHC plan specifically names this school.

One of the categories of the school's admissions policy also gives priority to children whose parents have not specifically named the school, but who may have particular physical, social or emotional needs, if it can be shown that the school's SEND support would have a beneficial effect on these children. The school still only has limited access for children with mobility problems, but has wheelchair access to most facilities.

Before admission, parents, carers and children visit the school and they are encouraged to voice any concerns they might have about their child's integration into school. Our current admissions form requests that parents or carers state any special needs that their child has.

### **Identification, assessment and provision**

The school currently uses an internal system of base-line screening with all new children in the reception class. This is an early years literacy and numeracy screening programme that has proved successful in improving focus on children's literacy and numeracy skills. When they are introduced in 2020, the school will also use the new DFE baseline tests.

Our internal screening and intervention programme will be continued with the year 1 pupils at least until the new government programme is activated in 2021 and we may continue to use its results in tandem with the government tests.

## No 10. Special Educational Needs

The information gathered from the screenings is further updated by the year 1 phonics screening, year 2 teacher assessments and by further teacher assessments in the years 3 to 5. These assessments are invaluable in highlighting needs and informing planning.

### **Education, health and care plans**

If, at any stage, it is felt that a pupil is performing below the expected level for his/her age, we initiate an ISP, which often is sufficient extra SEND support. However, if in-school intervention programmes (SEND support) have not helped the pupil to make sufficient progress, then the school will liaise with parents and approach the LA to ask for an EHC assessment. The LA will decide as a result of the assessment whether an EHC plan is required. The plan is then drawn up in accordance with the facilities provided by the LA. (The LA has to produce a document called the 'Local Offer' which describes the support and facilities available.) Parents see a draft of the proposed plan. They have the right to state, if they wish, at which school they wish their child to receive their education. LAs are obliged to provide a place at the nominated school unless there are very good reasons not to do so.

Children's in-school ISPs or EHC plans are reviewed at least yearly by means of a consultation between class teachers, SEND co-ordinators, TAs, the LA plus any involved agencies, and parents and carers. Provision is also made for pupils to attend. Targets are reviewed and extended or updated as necessary. Informal monitoring of targets is on-going throughout the year.

The school discipline policy for pupils and its consistent approach and methods of recording concerns makes it an invaluable tool in highlighting individual emotional and behavioural problems.

### **Secondary transfer arrangements**

- SEND records including details of EHC plans are transferred following agreed procedures.
- There are opportunities for all learners to visit their prospective secondary school.
- Learners with SEND are given additional visits to secondary providers if required, so that they can feel confident about the new situation with which they will be faced.
- RepreSENDtatives from local secondary schools are available for consultation before the time of transfer, and may visit pupils at primary phase.
- The learner's ISP or EHC plan will be reviewed shortly before transfer to secondary school and amended if appropriate.
- The SEND co-ordinator from the receiving school often attends a final review meeting if that school has been specifically named in a child's EHC plan.

### **Evaluating success**

The criteria for success of the SEND provision are as follows:

- SEND report to be updated at least once a term, and reported to the Teaching, Learning and Standards Committee (with ISP targets reviewed half termly).
- ISP and EHC meetings are held termly and all action highlighted implemented. All associated data or paperwork to be forwarded to parents and carers, involved agencies and safely stored online or in SEND files.
- Parents and carers to be kept regularly informed and involved.
- Parents and carers to be invited to ISP/EHC reviews once a term.
- Children themselves to be involved as much as possible, but also as appropriate.
- Relevant SEND data or paperwork to be stored or filed in a secure central system.
- External agencies to be involved as indicated in the EHC plan.
- Agencies to be managed effectively by the SEND co-ordinators.
- INSET/SEND updates passed on to colleagues where appropriate.
- TA monitoring sheets implemented by SENDior TA and passed on to the SEND co-ordinator.

## No 10. Special Educational Needs

The Headteacher and governors use success criteria to determine the success of SEND provision.

### **SEND in-service training for staff**

The SEND co-ordinator attends regular in-service training sessions held by the LA and additional courses and conferences as appropriate. Staff and governors are encouraged to attend all relevant INSET. INSET is provided for in the school's budget and school development plan.

In addition, the SEND co-ordinator holds INSET for teaching staff and their teaching assistants.

Topics have included:

- The role of the TA.
- Listening to children read.
- Synthetic phonic work.
- Assessment and monitoring.
- Individual training sessions on children's ISPs or EHC plans.
- Precision teaching strategies.
- Basic skills.

### **Partnership with parents and carers**

Arrangements for including parents and carers of children with SEND follow the procedures outlined in this policy:

- Parents and carers are kept informed, both formally and informally, through ISP/EHC plan meetings, parent surgeries, report evenings, phone calls, emails, letters and by word of mouth.
- The school encourages parents and carers to discuss any concerns regarding their children. This can be done through the class teacher or SEND co-ordinator (by arranging a meeting). Interpreters can be arranged for those parents and carers who would like it.
- Updated ISP/EHC plans to be SENDt to parents and carers at least once a year.

### **External agencies**

A wide variety of agencies are available to support children with SEND and if the child has an EHC plan, the agencies involved (health care and social care) are required by legislation to work jointly in forming and carrying out that plan.

The school liaises closely with a wide range of other colleagues and works with them as they provide therapy within the school. The school refers and liaises regularly with the following services:

- The school nurse.
- The educational psychologist.
- The speech and language service.
- Occupational therapy service.
- Visually and hearing impaired support service.
- Child and Adolescent mental health Service.
- Specialist outreach services.

We would seek to co-operate and liaise with other mainstream and special schools in whatever way appropriate and necessary, particularly at any transfer stage.

### **Arrangements for complaints**

Any complaints regarding SEND provision should initially be discussed with the class teacher or the SEND co-ordinator. If this fails to provide a satisfactory answer, the issue should then be raised with the Headteacher. If this fails to resolve the complaint, a group of three governors, including the governor who has oversight of the school's SEND provision and who will act as chair, will hear the complaint with the Headteacher and the SEND co-ordinator giving their case. Where a child has an EHC plan, the LA is obliged to have in place processes for dealing with complaints, disagreements and mediation, which are described in its Local Offer.