

Policy Last Updated:



## **Guidance and Policy for Special Educational Needs**

**Date adopted:**

**Signed by Chair of Governors:**

**Signed by Headteacher:**

**Date of review:**

## **Background**

As early as 1978, the Warnock Committee recommended that the majority of children with special educational needs (SEN) 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 SEN. The code set out guidance on all the aspects of SEN provision in mainstream and special schools, including the responsibilities of governing bodies. Subsequent updates of the code have set the context for educating children with SEN firmly within mainstream education.

Today it is believed that every child needs to fulfil their potential and that this must apply just as much to children with SEN 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 SEN. However, the gap in attainment between children with SEN 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, since the extended definition of the term 'disability' was thus enshrined in legislation, the needs of children with SEN are coupled with those of disabled children.

In March 2011, the coalition government issued an SEN 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 SEN 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 'pathfinders' 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. The final draft of the accompanying new Code of Practice for Special Educational Needs and Disabilities was laid before parliament in June 2014. This SEN code comes into force on 1 September 2014.

## **Key features of the SEN regulations and the SEN code of practice 2014**

Under the SEN code of practice 2014:

- Local authorities (LAs) will publish a Local Offer describing the facilities and support available in the area for children with SEN and disabilities.
- LAs will involve children, young people and their parents in developing SEN provision.

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- There will be in future a single assessment process which is intended to be more streamlined, quicker, and which involves children, young people and families much more fully. This means replacing the current 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 SEN through their early years, primary, secondary and further education and beyond into adult life.
- The LAs can authorise an EHC plan assessment for children or young people referred to it and will then draw up and put in place the EHC plan.
- There will be improved co-operation between all the various services available to and dealing with children and young people with SEN, and very specifically between educational, health care and social care agencies.
- There will be the offer of a personal budget for families that have a child or children who have an EHC plan.

The intended effect of the code of practice will be 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 SEN or are disabled, wherever they are.
- Parents know they can reasonably expect their local school, college and LA to provide support, if necessary through an EHC plan, and are more closely involved in decisions about services.
- Parents have greater control over the services they and their family use, with:
  - Every family with an EHC plan having the right to a personal budget for their support.
  - Parents whose children have an EHC plan having 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.

## 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

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Welfare Education Act 2002, The Children Act 2004; The SEN 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.
- Guidance and policy for special educational needs
- 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.

### **Percy Main Primary School SEND Policy**

This policy is based on the new legislation i.e. the Children and Families Act 2014, the SEN code of practice and accompanying regulations 2014.

## **Defining SEN**

The 2014 Code of Practice says that:

A person has SEN if they have a learning difficulty or disability which calls for special educational provision to be made for him or her. At compulsory school age this means he or she has a significantly greater difficulty in learning than the majority of others the same age, or, has a disability which prevents or hinders him or her from making use of facilities of a kind generally provided for others of the same age in mainstream schools.

Taken from 2014 SEN Code of Practice: 0 to 25 Years – Introduction xiii and xiv

### **Our objectives are:**

The specific objectives of our SEN policy are as follows:

- To identify learners with SEN 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 ensure that all pupils make the best possible progress and grow in confidence and self-esteem.
- To ensure that pupils with SEN 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 SEN 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:  
Monitoring provision within school supported by a school Individual Education Plan (IEP).  
SEND support provision within school supported by a SEND Support Plan.  
SEN 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.

- Support Plans and IEPs 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 20weeks).
- An annual review of the in-house SEND provision or the EHC plan is arranged for the child and targets are updated and monitored.

### **Roles of the governors and staff**

The designated SEND governor is Jo Walker-Maxey who will keep an overview of the SEND provision being made. The governing body, 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 Kathryn Thompson. Additionally she 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 Support Plans, IEPs and EHC plan targets.
- Evaluating progress of Support Plan, IEP 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 IEP and EHC plans in the classroom.

### **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.
- Representatives from local secondary schools are available for consultation before the time of transfer, and may visit pupils at primary phase.
- The learner's Support Plan, IEP 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 register to be updated at least once a term.
- Support Plan, IEP and EHC meetings to be held at least annually and all action highlighted implemented. All associated data or paperwork to be forwarded to parents and carers, involved agencies and safely stored on-line or in SEND files.
- Parents and carers to be kept regularly informed and involved.
- Parents and carers to be invited to Support Plan, IEP/EHC reviews at least once a year.
- Children to be involved, as appropriate.
- Relevant SEND data or paperwork to be stored or filed in a central system.
- External agencies to be involved as indicated in the EHC plan.
- Agencies to be managed effectively by SEND co-ordinators.
- INSET/SEND updates passed on to colleagues where appropriate.

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

### **Storing and Managing Information**

Documentation relating to special educational needs is managed in line with GDPR guidelines.

## **Reviewing the Policy**

This policy is reviewed at least every two years by the governing body.

## **Accessibility**

The DDA, as amended by the SEN and Disability Act 2001, placed a duty on all schools and LAs to plan to increase over time the accessibility of schools for disabled pupils and to implement their plans. The school has an accessibility plan and a Single Equality Plan and is committed to taking every reasonable action to ensure that our work is accessible to all pupils and their families.

## **Complaints**

Where a parent/carer is concerned about an issue relating to their child's SEND, we would ask that every effort is made to resolve this informally by seeking a meeting with the class teacher in the first instance. If this does not satisfy the issue, parents/carers should meet with the SENDCO or the Headteacher to enable them to address the problem. If it is not possible to resolve any issues informally, our school's policy on complaints should be followed. A copy is available from our website, or can be requested from the school office.

## **Bullying**

Research indicates that learners with SEND are more vulnerable to safeguarding concerns and are at greater risk of bullying. Staff are aware of this and take a proactive approach to ensuring that our environment is safe for learning. This is outlined in our Anti-Bullying policy. Parents, carers, pupils and staff are involved in writing and implementing the Anti-Bullying policy. We have Thrive Practitioners in school (Kathryn Thompson, Jan Leslie and Danielle Kelly), who aim to support children in school who may be more at risk of bullying. The SENDCO also works with family and children where there are concerns.

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