



# Special Educational Needs and/or Disabilities (SEND) and Learning Policy

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## Document provenance

This policy was approved by Trustees as follows –

Board/Committee: Education Committee

Date: Aug-18

Frequency of review: Annual

Next review date: July-19

ELT Owner: Director of Education

Author: Regional SEND – London & Bucks

### Summary of changes at last review:

- E-ACT core values embedded into document
- Emphasis on child and family centred approach (reflecting the Code of Practice)
- Section on Trust support via RAB and System Leader specialists
- Duty to appoint appropriately trained Senco (as per COP)
- Some focus on ‘SEND support’ (ie everyone on the SEND register who does not have an Education and Health Care Plan (EHCP), which is notoriously ‘grey’ in the new legislation, hence appendix added regarding Assess, Plan, Do, Review (APDR) and Waves model
- Reasonable adjustments and duties pertaining to the equality act are concisely covered.
- Specific mention of ‘School Information Report’, which should be published on Academies’ websites
- Highlighting of the ‘assess’ part of the APDR cycle, which has been identified as lacking nationally.
- Highlighted the need for a review meeting for each student 3 times a year (which is required by the Code of Practice)
- Mention made of screening on entry to settings (including early years).

### Related documents:

- E-ACT Equality and Diversity Policy
- E-ACT Accessibility Plan (academy specific)

### Summary of policy:

This policy outlines how E-ACT Academies will work to ensure that all learners with SEND are provided with the best possible education to enable them to succeed and thrive at school.

# Special Educational Needs and/or Disabilities (SEND) and Learning Policy

## 1. Introduction and purpose

- 1.1. This policy reflects the Special Educational Needs and Disability Code of Practice 2015 and the 2010 Equality Act. It sets out our vision and principles for children and young people with SEND and our expectations for all our academies across the Trust. The operational activities within our Academies will be found in their School Information Reports which are published on their website.

## 2. Scope

- 2.1 This policy applies to all education staff. It applies to operational staff in particular when considering reasonable adjustments and regarding funding and provision for learners with SEND.

## 3. Legislation and regulation

### Definition of SEND (Special Educational Needs and/or Disabilities):

- 3.1. A child or young person has SEND if they have a learning difficulty or disability, which calls for special educational provision to be made for her or him.
- 3.2. A child of compulsory school age or a young person has a learning difficulty if he or she:
  - Has a significantly greater difficulty in learning than the majority of others of 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 or mainstream post-16 institutions.
- 3.3. For children aged two or more, special educational provision is educational or training provision that is additional to or different from that made generally for other children and young people of the same age by mainstream schools and early years settings.

### Definition of Disability

- 3.4. Many children and young people who have SEN may also have a disability. A disability is described in law (the Equality Act 2010) as 'a physical or mental impairment, which has a long-term (a year or more) and substantial adverse effect on their ability to carry out normal day-to-day activities.' This includes, for example, sensory impairments such as those that affect sight and hearing, and long-term health conditions such as asthma, diabetes or epilepsy.
- 3.5. The Equality Act requires early year's providers, schools, colleges, other educational settings and local authorities to:
  - Not directly or indirectly discriminate against, harass or victimise disabled children and

young people;

- Make reasonable adjustments, including the provision of extra aid services (for example, tactile signage or induction loops), so that disabled children and young people are not disadvantaged. This duty is known as 'anticipatory'.

3.6. All academies will operate within the law. The legal framework most pertinent to SEND can be found in:

- The Equality Act 2010
- The Children and Families Act 2014, part 3
- The Special Educational Needs and Disability Regulations 2014

3.7. All academies will follow the statutory guidance found in:

- The SEND Code of Practice (last updated April 2015)

## **4. Policy statement**

4.1. E-ACT's three core principles are at the heart of all it does and this policy strongly advocates: Partnership working across academies and utilising trust expertise, local, and specialist agencies, as well as a meaningful child and family centred approach ('Team Spirit'); High aspirations and opportunity ('Think Big'); A commitment to legal compliance and a genuine desire to support *all* children and young people ('Do the right thing').

4.2. We shall ensure that:

- All academies have regard for the voice of the child or young person with SEND as well as those of the parent or carer, and take into account their feelings, wishes and views.
- Academies will work closely with the local authority in which the academy is located to assist them in fulfilling the obligations under Part 3 of the Children and Families Act 2014 and its associated guidance.
- All academies have procedures and professionals in place to enable them to fulfil their statutory duties and to drive the ethos and vision that runs through the SEND Code of Practice<sup>1</sup>.

### Support for our Academies

4.3. E-ACT uses a regional model of support whereby each region is supported by a specialist group of system leaders and a regional education director. Within this group (known as the 'Raising Achievement Board') there is a SEND specialist who is available for advice and support. The SEND specialist ensures support and training are of the same standard across the region and share specialist expertise with other regions. The services offered to academies might include:

- Training for senior leaders
- Training, guidance and mentoring for Sencos

- Support in identification and intervention
- Specialist assessment
- Legal advice
- Whole staff training and conferences
- SEND audits and reviews of provision
- Brokering of support services within regions
- Pre-Ofsted or JCQ inspection preparation
- Cluster meetings to inform and share best practice
- Parent consultation groups

## Education and Health

- 4.4. All academies will work jointly with education and health care professionals and agencies to secure the best possible outcomes for the children and young people in their setting. Academies will work with local and national providers to secure the services needed to improve outcomes for children and young people with SEND. These services might include: speech and language therapy, physiotherapy, occupational therapy, educational psychology assessment, mental health services, and other health and social care professionals.
- 4.5. All academies will make reasonable adjustments for disabled children and young people and will make arrangements to support those with medical conditions.

## What our academies will do

- 4.6. Academies will designate a qualified teacher to be responsible for coordinating SEND provision (the designated Senco) who will have or be working towards attaining the National Award in Special Educational Needs Coordination within three years of taking up the position.
- 4.7. Academies will prepare a SEND Information Report in accordance with paragraphs 6.79 onwards of the SEND Code of Practice and publish it on their website. This report will set out the details regarding the implementation of the E-ACT SEND and Learning Policy.
- 4.8. Academies will ensure that all teachers accept that SEND is their responsibility and in particular that class and subject teachers take full responsibility for the progress of the children and young people with SEND whom they teach.
- 4.9. Academies will ensure that the quality of teaching, and learning opportunities for pupils with SEND, and the progress made by those pupils are a core part of performance management arrangements and are held as a high priority within their setting.
- 4.10. Academies will employ a variety of assessment and screening tools to assess a child or young person's skills and attainment and build on information received from previous settings. This includes early years settings.
- 4.11. As part of the screening process, academies will consider any evidence that the young person may have a disability under the Equality Act 2010 and make reasonable adjustments for them.
- 4.12. In their settings, academies will ensure that children and young people with SEND engage in all activities alongside those who do not have SEND unless a particular provision or arrangement is agreed with the parents or carers, and the child or young person.

- 4.13. Academies will have measures in place, such as screening tools and assessment batteries, to accurately identify children and young people with SEND and will place such pupils on 'SEND Support' (see appendix 1) in consultation with their parents and carers.
- 4.14. Class and subject teachers, supported by the Senco and Senior Leadership Team, will make regular assessments of the progress for all pupils and identify appropriate actions, particularly those making less than expected progress, given their age and prior attainment.
- 4.15. Academies will inform parents and carers when they are making special provision for their child and shall then work in partnership with them to establish support needed and specialist input, to secure best outcomes, taking full account of their views and wishes.
- 4.16. For all children and young people on 'SEND Support', academies will make arrangements for a qualified teacher, with input from the Senco as appropriate, to meet with the parents or carers at least three times a year to review progress and support.
- 4.17. Academies will ensure that a graduated approach using the 'Assess, Plan, Do, Review' cycle (as set out in paragraphs 6.44-6.56 of the [SEND Code of Practice](#), see Appendix 1) is in place for all young people on SEND Support.
- 4.18. After consultation with the parent or carer and the child or young person, an academy will request the local authority to undertake an Education, Health, Care needs assessment for any child or young person for whom we believe this is necessary.
- 4.19. Academies will do everything they can to meet the needs of young people with SEND including delivering the elements of an EHCP (Education, Health and Care plan) or Statement if this is yet to be converted.
- 4.20. Academies will work with the local authority in a timely manner to undertake annual reviews of EHCPs, so that they are conducted within the statutory timeframes and so that they take into account the views of the child or young person and those of the parent or carer.

## 5. Training

E-ACT will ensure a number of places is available for SENCOs and aspiring SENCOs to complete the National Award for SEND via an accredited provider as part of the Trust training offer  
SEND System Leaders will ensure best practice is shared within their group and disseminated regionally.  
Training will be provided for senior leaders in equality, diversity and how to support teachers with fulfilling the requirements of the SEND Code of Practice

## 6. Responsibilities

The following responsibilities apply in relation to this policy:

- Headteachers are responsible for ensuring an appropriately qualified member of staff is the designated SENCO within their academy and for enabling the SENCO to work strategically within their academy to ensure the best possible education for learners with SEND
- SENCOs are responsible for ensuring the education within the academy is compliant with the E-ACT SEND and Learning Policy

- SEND System Leaders are responsible for supporting academies with meeting the requirements of the SEND and Learning Policy, and for monitoring compliance with this policy
- Teachers are responsible for working in line with the DfE Teaching Standards and providing appropriate education for all the learners within their class(es) as outlined in Section 6 of the SEND Code of Practice 2015.
- Trustees and the executive leadership team have overall responsibility for the implementation and approval of this policy

## **7. Monitoring and compliance**

Regional SEND System Leaders will monitor compliance with this policy within the academies in their respective regions. They will report to the Regional Education Director who in turn will report to the RPBs.

## **8. Review**

This policy will be reviewed every two years or sooner if there are significant changes to legislation and statutory requirements.

## Appendix 1

### The Graduated Approach

Academies will adopt a 'Waves model' to outline, audit and develop support and provision available within their setting. This is known as the *Graduated Approach* or *Response*.

**Wave 1:** Teaching students with differing needs requires a whole school approach and teachers will plan, teach, assess and evaluate in ways that will meet the range of abilities, aptitudes and interests of the students. A whole school sanctions and rewards system that provides structure, boundaries and opportunities for success is an example of a whole school provision that is carefully designed to support the range of students within a school. Wave 1 provision may also be in the form of training such as sessions on supporting children and young people with a diagnosis of ADHD (Attention Deficit and Hyperactivity Disorder.)

**Wave 2:** Targeted support within class from a learning support assistant, slightly adapted timetables (for example being allowed to leave a lesson 5 minutes early in order to have more time to get changed) or small group teaching and intervention are examples of Wave 2 provision. A student on SEND support whose needs have been identified will often have a pupil profile sheet or support plan document that outlines some of the Wave 2 provision that is in place to enable them to access learning and achieve success.

**Wave 3:** Despite receiving Wave 2 support and provision, a student might still struggle to make progress and access learning. Specialist support, guidance, training and one to one provision may then be applied for or put in place. This is known as Wave 3 provision.

### SEND Support and Assess Plan Do Review (ADPR)

The Code of Practice 2015 outlines the 'Assess, Plan, Do, Review' cycle.

The Senco and other appropriate teachers within the academy will use a range of assessment tools, which can include summative assessments (conventional tests), screenings such as a dyslexia portfolio screening, pupil and parent voice, observations and LSA input, to decide on the level of support a child or young person might need [**'Assess'**].

Appropriate provision is then planned (for example a phonics intervention or additional 1:1 support at key transition points of the day) [**'Plan'**].

This support plan is then delivered over a set period of time [**'Do'**], with a review date at the end of a delivery cycle (for example after an 8 week period) [**'Review'**].

At the Review meeting, there will be reassessment information to inform those supporting the child or young person regarding whether the support plan is effective. Provision will either be continued, changed or increased (see the Waves model) depending on progress made. Additional assessment may also be sought such as input from a specialist assessor or a specialist advisory team.

If a pupil is unable to make progress or access learning, despite being supported via SEND Support, then it might be appropriate for a request for an EHC assessment to be submitted to the local authority.