

# Bomere and the XI Towns Federation



## Special Educational Needs and Disabilities Policy

---

August 2016

*Approved at Full Governors' Meeting – Autumn Term 2016*

## **Contents:**

### Statement of intent

1. Legal framework
2. Definitions
3. Objectives
4. Admissions
5. Roles and responsibilities
6. Involving pupils and parents in decision making
7. Joint commissioning, planning and delivery
8. Funding
9. Local Offer
10. Identification
11. Graduated approach
12. Assessment
13. Education, health and care (EHC) plans
14. Reviewing an EHC plan
15. SEND tribunals
16. Transitions

17. Data and record keeping

18. Confidentiality

## Statement of intent

This policy outlines the framework for Bomere and the XI Towns Federation to meet its duty and obligation to provide a high quality education to all of its pupils, including pupils with special educational needs and/or disabilities (SEND), and to do everything we can to meet the needs of our pupils with SEND.

The core aim will be through the implementation of this policy to eliminate discrimination, promote equal opportunities, and foster good relationships between pupils with SEND and pupils without SEND.

Bomere and the XI Towns Federation will work with Shropshire Local Authority, within the following principles which underpin this policy:

- The involvement of children, parents and young people in decision making
- The identification of children and young people's needs
- Collaboration between education, health and social care services to provide support
- High quality provision to meet the needs of children and young people with SEND
- Greater choice and control for young people and parents over their support
- Successful preparation for adulthood, including independent living and employment

### Signed by:

1/9/2016  
Date:

24/11/2016

Executive **Headteacher** Mrs Julie Ball

Chair of Governors Mrs Helen Antelo

## **1. Legal framework**

1.1 This policy has due regard to legislation, including, but not limited to the following:

- The Children and Families Act 2014 (and related regulations)
- The Health and Social Care Act 2012
- The Equality Act 2010
- The Mental Capacity Act 2005
- The Children's Act 1989
- The Special Educational Needs and Disability Regulations 2014
- The Special Educational Needs (Personal Budgets) Regulations 2014
- The Special Educational Needs and Disability (Detained Persons) Regulations 2015

1.2 It will also take into account statutory and non-statutory related guidance, including, but not limited to the following:

- SEND Code of Practice 0-25 2014
- Supporting Pupils at School with Medical Conditions 2014
- Keeping Children Safe in Education 2015
- Working Together to Safeguard Children 2015
- Schools Admissions Code of Practice 2014
- Reasonable Adjustments for Disabled Pupils 2015

## **2. Definitions**

2.1 In this policy, SEN signifies special educational needs specifically, and SEND signifies special educational needs and/or disabilities.

2.2 The SEND Code of Practice states that a child of compulsory school age has a special educational need if he/she has:

- Significantly greater difficulty in learning than the majority of others of the same age.
- A disability or health condition which prevents or hinders him/her from making use of educational facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions.

2.3 Under the Equality Act 2010, a disability is "a physical or mental impairment which has a long-term and substantial adverse effect on their ability to carry out normal day-to-day activities".

2.4 Sensory impairments and long-term health conditions, such as diabetes, epilepsy and cancer, are included under the definition of disability, but children with such conditions do not necessarily have SEND.

2.5 A pupil with a disability is covered by the SEND definition if they require special educational provision.

### **3 Aims and Objectives of this Policy**

3.1 Bomere and the XI Towns Federation plans to achieve the core aims of this policy by achieving the following strategic and measureable objectives:

- To follow the graduated approach outlined in the SEND Code of Practice.
- To monitor the progress of all pupils in order to aid the earliest possible identification of SEND.
- To provide curriculum access for all
- To secure high levels of achievement for all
- To meet individual needs through a wide range of provision
- To attain high levels of satisfaction and participation from pupils, parent and carers
- To carefully map provision for all vulnerable learners to ensure that staffing deployment, resource allocation and choice of intervention is leading to good learning outcomes.
- To ensure a high level of staff expertise to meet pupil need, through well targeted continuing professional development.
- To work in cooperative and productive partnership with the Local Authority and other outside agencies, to ensure there is a multi-professional approach to meeting the needs of all vulnerable learners.
- To “promote children’s self-esteem and emotional well-being and help them to form and maintain worthwhile relationships based on respect for themselves and others”. (National Curriculum, 2014).

The Executive head teacher and the Federation Governing body have delegated the responsibility for the ongoing implementation of this Inclusion Policy to the Special Educational Needs and Disabilities Coordinator (SENDCo).

The SENDCos are responsible for reporting regularly to the headteacher and the governor(s) with responsibility for SEN on the ongoing effectiveness of this inclusion policy.

The SENDCos are also responsible and have strategic responsibility for the inclusion of children who have EAL and the achievement of vulnerable ethnic minority groups.

The Designated Teacher for Looked After Children has strategic responsibility for the inclusion of children who are adopted or in local authority care.

**All staff within the federation have a responsibility for maximising achievement and opportunity of vulnerable learners** – specifically, all teachers are teachers of pupils with special educational needs and EAL. Staff are aware of their responsibilities towards all vulnerable learners and a positive and sensitive attitude is shown towards all pupils at all times.

#### **4 Admissions**

4.1 Bomere and the XI Towns Federation will ensure it meets its duties under the Schools Admissions Code of Practice by:

- Not refusing admission for a child that has named the school in their education, health and care (EHC) plan.
- Considering applications from parents of children who have SEND but do not have an EHC plan.
- Not refusing admission for a child who has SEND but does not have an EHC plan because the school does not feel able to cater for those needs.
- Not refusing admission for a child on the grounds that they do not have an EHC plan.
- Adopting fair practices and arrangements in accordance with the Schools Admissions Code for the admission of children without an EHC plan.

4.2 Arrangements for the fair admissions of pupils with SEND are outlined in the Admissions Policy and are published on the Federation's individual school's websites.

#### **5 Roles and responsibilities**

5.1 The governing body has a responsibility to ensure it:

- Fully engages pupils with SEND and their parents when drawing up policies that affect them.
- Identifies, assesses and make provision for all children and young people with SEND, whether or not they have an EHC plan.
- Endeavour to secure the special educational provision called for by a pupil's SEND.
- Designate appropriate member(s) of staff to be the SEND coordinator (SENDCO) with associated responsibility for co-ordinating provision for pupils with SEND.
- Appoint a designated teacher for 'looked after children', where appropriate.
- Make reasonable adjustments for pupils with disabilities to help alleviate any substantial disadvantage they experience because of their disability.
- Take necessary steps to ensure that pupils with disabilities are not discriminated against, harassed or victimised.
- Prepare the arrangements for the admission of pupils with disabilities and the facilities provided to enable access to the school for pupils with disabilities.

- Prepare the accessibility plan showing how the school plans to progressively improve access over time.
- Publish annual information, setting out the measures and facilities to assist access for pupils with disabilities.
- Publish annual information about the arrangements for the admission of pupils with disabilities, the steps taken to prevent children being treated less favourably than others, the facilities provided to assist pupils with disabilities, and the school's accessibility plan.
- Develop complaints procedures which, along with details about appealing to the SEND tribunal, will be made known to parents and pupils through a single point of access.
- Provide suitable, full-time education from the sixth day of a fixed permanent exclusion of a pupil with SEND, in line with their EHC plan.
- Ensure arrangements are in place to support pupils at school with medical conditions.
- Cooperate with the LA in drawing up and reviewing the Local Offer.
- Appoint an individual governor or sub-committee to oversee the school's arrangements for SEND.
- Prepare the SEND information report and publish it on the website.

#### 5.2 The headteacher has a responsibility to:

- Ensure that those teaching or working with pupils with SEND are aware of their needs, and have arrangements in place to meet them.
- Ensure that teachers monitor and review pupils' progress during the course of the academic year.
- Cooperate with the LA during annual EHC plan reviews.
- Ensure that the SENDCo has sufficient time and resources to carry out their functions.
- Provide the SENDCo with sufficient administrative support and time away from teaching to enable them to fulfil their responsibilities, in a similar way to other important strategic roles within the school.
- Appoint a designated teacher for looked after children, who will work closely with the SENCO to ensure that the needs of the pupil are fully understood by relevant school staff.
- Regularly and carefully review the quality of teaching for pupils at risk of underachievement, as a core part of the school's performance management arrangements.
- Ensure that teachers understand the strategies to identify and support vulnerable pupils, and possess knowledge of the types of SEND most frequently encountered.
- Ensure that procedures and policies for the day-to-day running of the school do not directly or indirectly discriminate against pupils with SEND.
- Take steps to ensure that pupils and parents are actively supported in contributing to needs assessments, and developing and reviewing EHC plans.



- Establish and maintain a culture of high expectations and include young people with SEND in all opportunities available to other pupils.
- Consult health and social care professionals, pupils and parents to ensure the needs of children with medical conditions are effectively supported.
- Keep parents and relevant teachers up-to-date with any changes or concerns involving the pupil.
- Identify any patterns in the identification of SEND within the school and in comparison with national data.

### 5.3 The SENDCos within the federation must:

- Be a qualified teacher.
- Achieve the National Award in Special Educational Needs Coordination within three years of appointment. The National Award must be a postgraduate course accredited by a recognised higher education provider.
- Collaborate with the governing body and headteacher, as part of the school leadership team, to determine the strategic development of SEND policy and provision in the school.
- Work with the school governors and the headteacher to ensure that the school meets its responsibilities under the Equality Act (2010) with regard to reasonable adjustments and access arrangements.
- Undertake day-to-day responsibility for the operation of SEND policy.
- Coordinate the specific provision made to support individual children with SEND, including those with EHC plans.
- Liaise with the relevant, designated teacher where a looked after pupil has SEND.
- Advise on a graduated approach to providing SEND support.
- Advise on the deployment of the school's delegated budget and other resources to meet pupils' needs effectively.
- Liaise with the parents of pupils with SEND.
- Liaise with early years providers, other schools, educational psychologists, health and social care professionals, and independent or voluntary bodies.
- Be a key point of contact with external agencies, especially the LA and LA support services.
- Liaise with the potential future providers of education to ensure that the pupil and their parents are informed about options and a smooth transition is planned.
- Draw up a one-page profile of the pupil with SEND.
- Provide professional guidance to colleagues and work closely with staff members, parents, carers, and other agencies, including SEND charities.
- Be familiar with the provision in the Local Offer and be able to work with professionals providing a supporting role to the family.

- Ensure, as far as possible, that pupils with SEND take part in activities run by the school, together with those who do not have SEND.
- Ensure that the school keeps the records of all pupils with SEND up-to-date.
- Inform the parents of children with SEND that SEND provision is being made where the pupil does not have an EHC plan.
- Identify any patterns in the identification of SEND within the school and in comparison with national data.
- Support the class/subject teacher in the further assessment of a pupil's particular strengths and weaknesses, and advise on effective implementation of support.

#### 5.4 Class teachers must:

- Plan and review support for their pupils with SEND on a graduated basis, in collaboration with parents, the SENDCo and, where appropriate, the pupils themselves.
- Set high expectations for every pupil and aim to teach them the full curriculum, whatever their prior attainment.
- Plan lessons to address potential areas of difficulty to ensure that there are no barriers to every pupil achieving, and every pupil with SEND will be able to study the full national curriculum.
- Be responsible and accountable for the progress and development of the pupils in their class.
- Be aware of the needs, outcomes sought, and support provided to any pupils with SEND they are working with.
- Keep the relevant figures of authority up-to-date with any changes in behaviour, academic developments and causes of concern. The relevant figures of authority include SENDCo and Headteacher.

## **6 Involving pupils and parents in decision making**

6.1 Parents of pupils with SEND are encouraged to share their knowledge of their child; the Headteacher and SENDCo give them the confidence that their views and contributions are valued and will be acted upon.

6.2 Parents will always be formally notified when the Bomere and the XI Towns Federation provides their child with SEND support.

6.3 Decisions on whether the school will commission added provisions will be discussed thoroughly with the LA, parents and, when/where appropriate, the pupil involved.

- Decisions about education will not unnecessarily disrupt a pupil's education or any health treatment underway.

6.4 Effective planning should help parents, children and young people with SEND express their needs, wishes and goals, and should:

- Focus on the pupil as an individual, not their SEND label.
- Be easy for children, young people and their parents to understand and use clear, ordinary language and images, rather than professional jargon.
- Highlight the pupil's strengths and capabilities.
- Enable the pupil, and those who know them best, to say what they have done, what they are interested in and what outcomes they are seeking in future.
- Tailor support to the needs of the individual.
- Organise assessments to minimise demands on families.
- Bring together relevant professionals to discuss and agree together the overall approach.

2.2. The Class Teacher supported by the SENDCo, will meet with pupils, and parents of pupils receiving SEND support three times a year to set clear outcomes, review progress, discuss activities and support, and identify parental responsibilities.

## **7 Joint commissioning, planning, and delivery**

7.1 Bomere and the XI Towns Federation will collaborate with the LA in the exercise of its duty to work together with health and social care providers by:

- Identifying improved system outcomes in consultation with pupils and their parents by:
  - Taking early steps to prevent discrimination and hardship.
  - Ensuring early identification/recognition.
  - Enabling access to services for pupils and their families.
  - Establishing how transitions between life stages and settings will be managed, including from early years to primary education, primary to secondary, and secondary to further education (FE).
  - Establishing how provision and support services will enable pupils to prepare for their future adult life.

7.2 Bomere and the XI Towns Federation will draw on the wide range of local data-sets about the likely education needs of children and young people with SEND to forecast future need, including:

- Population and demographic data.
- Prevalence data for different kinds of SEND and disabilities among children and young people at the national level.
- Numbers of local children with EHC plans and their main needs.

- The numbers and types of settings locally that work with or educate children with SEND.
  - 7.2.1 An analysis of local challenges/sources of health inequalities.

7.3 Bomere and the XI Towns Federation will plan, deliver and monitor services against how well outcomes have been met, including, but not limited to:

- Improved educational progress and outcomes for children and young people with SEND.
- Increasing the proportion of children with SEND whose needs are identified prior to school entry.

7.4 Where pupils with SEND also have a medical condition, their provision should be planned and delivered in coordination with the healthcare plan.

7.5 SEND support will be adapted and/or replaced depending on its effectiveness in achieving the agreed outcomes.

## **8 Funding**

8.1 Bomere and the XI Towns Federation will allocate the appropriate amount of core per-pupil funding and notional SEND budget outlined in the Local Offer for the SEND provision of its pupils.

8.2 Personal budgets are allocated from the Local Authorities high needs funding block and Bomere and the XI Towns Federation will continue to make SEND provision from its own budgets, even if a pupil has an EHC plan.

## **9 Local Offer**

9.1 Bomere and the XI Towns Federation will cooperate generally with the LA and local partners in the development and review of the Local Offer.

## **10 Identification**

10.1 To identify pupils with SEND, Bomere and the XI Towns Federation will assess each pupil's current skills and levels of attainment on entry.

10.2 Class teachers, supported by the senior leadership team, should seek to identify pupils making progress:

- Significantly slower than their peers.
- Which fails to match or better their previous rate of progress.
- Which fails to close an attainment gap between the pupil and their peers.
- Which widens the attainment gap.

- 10.3 Where a pupil's progress meets the above criteria, or is less than expected, the class/subject teacher and the SENDCo should assess whether the pupil has SEND, and this assessment must be reviewed half termly.
- 10.4 The identification of SEND is also built into the overall approach to monitoring the progress and development of all pupils, as outlined in our Assessment Policy.
- 10.5 If a parent believes their child may have SEND, they should make the Bomere and the XI Towns Federation aware.
- 10.6 The school will provide extra support to pupils falling behind or making inadequate progress given their age and starting point.
- 10.7 Where pupils continue to make inadequate progress, despite high-quality teaching targeted at their areas of weakness, the school will assess whether a pupil has a significant learning difficulty.

## **11 Graduated approach**

11.1 Bomere and the XI Towns Federation will, once a potential SEND has been identified, employ the graduated approach to meeting the pupil's needs by:

- Establishing a clear assessment of the pupil's needs.
- Planning, with the pupil's parents, the interventions and support to be put in place, as well as the expected impact on progress, development and behaviour, along with a clear date for review.
- Implementing the interventions, with the support of the SENDCo.
- Reviewing the effectiveness of the interventions, and making any necessary revisions.

## **12 Assessment**

12.1 Bomere and the XI Towns Federation will, in consultation with the pupil's parents/ carers, request a statutory assessment of SEND where the pupil's needs cannot be met through the resources normally available within the school.

12.2 Consideration of whether SEND provision is required should start with the desired outcomes and the views of the parents and pupil.

12.3 The federation will meet its duty to respond to any request for information relating to a statutory assessment within six weeks of receipt.

12.4 If the decision is taken not to issue an EHC plan, the school will consider and implement the recommendations of feedback from the LA

regarding how the pupil's outcomes can be met through the school's existing provision.

12.5 In tracking the learning and development of pupils with SEND, Bomere and the XI Towns Federation will:

- Base decisions on the insight of the pupil and their parents.
- Set pupils stretching targets.
- Track their progress towards these goals.
- Review additional or different provision made for them.
- Promote positive personal and social development outcomes.
- Base approaches on the best possible evidence, and ensure that they are having the required impact on progress.

12.6 Detailed assessments should identify the full range of the individual's needs, not just the primary need.

12.7 Where possible, pupils' needs should be defined under the SEND Code of Practice broad areas of need:

- Communication and interaction
- Cognition and learning
- Social, emotional and mental health difficulties
- Sensory and/or physical needs

12.8 Where a pupil continually makes little or no progress, or is working substantially below expected levels, Bomere and the XI Towns Federation will consult with parents before involving specialists.

### **13 Education, health and care (EHC) plans**

13.1 Bomere and the XI Towns Federation will fully cooperate with the LA when research about the pupil is being conducted.

- The federation will provide the LA with any information or evidence needed.
- All relevant teachers will be involved in contributing information to the LA.

13.2 The federation will meet its duty to respond to the LA within 15 days, if it is named on a pupil's EHC plan.

13.3 The federation will admit any pupil that names the school in an EHC plan or EHC needs assessment process.

13.4 The federation will ensure that all those teaching or working with a pupil named in an EHC plan are aware of the pupil's needs and that arrangements are in place to meet them.

- All reasonable provisions will be taken by the federation in order to provide a high standard of education.
- Relevant staff members will keep up-to-date with any necessary training.
- Staff will be briefed about any potential problems and a procedure will be put into place to deal with certain situations.

13.5 The federation will actively try to comply with any of the indicated recommendations, following an EHC needs assessment.

13.6 If a pupil's needs significantly change, the federation will request a re-assessment of an EHC plan at least six months after an initial assessment.

- Thereafter, the governing body of the federation will request the LA to conduct a re-assessment of a pupil whenever they feel it is necessary.
- Following the re-assessment, a final EHC plan will be issued within 14 weeks from the request being made.

13.7 The federation will ensure that any EHC plan information is kept confidential and on a need-to-know basis.

13.8 Information regarding a pupil's EHC plan will only be shared with other educational institutes if the pupil is transferring there, in order for the institute to develop an individual learning plan.

13.9 Bomere and the XI Towns Federation will take steps to ensure that pupils and parents are actively supported in developing and reviewing EHC plans.

- Where necessary, they will provide support from an advocate to ensure the pupil's views are heard and acknowledged.
- The federation will ensure that parents are consistently kept involved throughout the implementation of an EHC plan.

## **14 Reviewing an EHC plan**

14.1 Bomere and the XI Towns Federation will:

- Cooperate to ensure an annual review meeting takes place, including convening the meeting on behalf of the LA if requested.
- Ensure that the appropriate people are given at least two weeks' notice of the date of the meeting.

- Contribute any relevant information and recommendations about the EHC plan to the LA, keeping parents involved at all times.
- Ensure that sufficient arrangements are put in place at the school to host the annual review meeting.
- Cooperate with the LA during annual reviews.
- Lead the review of the EHC plan in order to engender the greatest confidence amongst pupils and their family.
- Seek advice and information about the pupil prior to the annual review meeting from all parties invited, and send any information gathered to all those invited, at least two weeks in advance of the meeting.
- Prepare and send a report of the meeting to everyone invited within two weeks of the meeting, which sets out any recommendations and amendments to the EHC plan.
- Provide the LA and parents with any evidence to support the proposed changes and giving those involved at least 15 days to comment and make representations.
- Clarify to the parents and pupil that they have the right to appeal the decisions made in regards to the EHC plan.
- Ensure that a review of a pupil's EHC plan is undertaken at least seven months before transfer to another phase of education.

## **15 SEND tribunal**

15.1 All disagreements about an EHC plan will be attempted to be resolved as quickly as possible, without the pupil's education suffering.

15.2 In all cases, the schools written complaints procedure will be followed, allowing for a complaint to be considered informally at first.

15.3 Following a parent's serious complaint or disagreement about the SEND provisions being supplied to a pupil, the school will contact the LA immediately in order to seek disagreement resolution advice, regardless of a EHC plan being place or not.

- Where necessary, the headteacher will make the relevant parties aware of the disagreement resolution service.
- Parents are made aware that Ofsted can consider complaints relating to whole school SEND early years provision, if the problem has not been resolved informally.

15.4 Bomere and the XI Towns Federation will meet any request to attend a SEND tribunal and explain any departure from its duties and obligations under the SEND Code of Practice.



15.5 Following the use of informal resolutions, the case will be heard in front of three people, who are independent of the management and running of the federation.

15.6 If disagreements are not resolved at a local level, the case will be referred to the Education Funding Agency.

15.7 The federation will fully cooperate with the LA by providing any evidence or information that is relevant.

15.8 All staff involved in the care of the pupil will cooperate with parents in order to provide the pupil with the highest standard of support and education.

## **16 Transitions**

16.1 Bomere and the XI Towns Federation will ensure that the pupil is supported to make a smooth transition to whatever they will be doing next, e.g. moving on to higher education.

16.2 Bomere and the XI Towns Federation will engage with secondary schools and FE providers as necessary to help plan for any transitions.

16.3 The federation will transfer all relevant information about the pupil to any educational institution that the pupil is transferring to.

16.4 If the pupil has been excluded, the federation has a duty to arrange suitable, full-time education from the sixth day of a fixed period exclusion and to provide full details of any SEND provisions necessary.

16.5 If it is in the best interest of the pupil, the federation may commission alternative provision, in line with any EHC plans in place, for children who face barriers to participate in mainstream education.

16.6 Bomere and the XI Towns Federation will ensure that it meets its duty to secure independent, impartial careers guidance for pupils aged 8-11, including:

- Helping pupils and parents understand and explore how the support they will receive in school will change as they move into different settings, and what support they are likely to need to achieve their ambitions.
- Securing access to independent, face-to-face support for pupils with SEND to make successful transitions.

## **17 Data and record keeping**

17.1 Bomere and the XI Towns Federation will:

- Include details of SEND, outcomes, action, agreed support, teaching strategies and the involvement of specialists, as part of its standard management information system to monitor the progress, behaviour and development of all pupils.
- Maintain an accurate and up-to-date register of the provision made for pupils with SEND.
- Show all the provision the school makes which is different or additional to that offered through the school curriculum on a provision map.

17.2 Bomere and the XI Towns Federation keeps data on the levels and types of need within the school and makes this available to the LA.

17.3 The SEND information report must be prepared by the governing body, and must be published on the school website; it must include all the information outlined in paragraph 6.79 and 6.80 of the SEND Code of Practice.

## **18 Confidentiality**

18.1 Bomere and the XI Towns Federation will not disclose any EHC plan without the consent of the pupil's parents, with the exception of disclosure:

- To a SEND tribunal when parents appeal, and to the Secretary of State under the Education Act 1996.
- On the order of any court for the purpose of any criminal proceedings.
- For the purposes of investigations of maladministration under the Local Government Act 1974.
- To enable any authority to perform duties arising from the Disabled Persons (Services, Consultation and Representation) Act 1986, or from the Children Act relating to safeguarding and promoting the welfare of children.
- To Ofsted inspection teams as part of their inspections of schools and LAs.
- To any person in connection with the pupil's application for disabled student's allowance in advance of taking up a place in higher education.
- To the headteacher of the institution at which the pupil is intending to start their next phase of education.