

**David Nieper Education Trust**



**Special Educational Needs  
Policy**

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**This policy was originated by Emma Merchant – Assistant Headteacher  
It was approved by the Governing body  
on 22.05.17**

**It is next due for re-approval in Summer 2018**

## **General statement**

The David Nieper Academy celebrate the differences between all of our children and young people and value the contribution that every member of school makes to the school community and our community as a whole.

We recognise and embrace that good quality teaching for all children and young people at every stage in a child and young person's journey through early education, school and further education and training is vital to unlocking their potential.

Whilst many factors contribute to the range of difficulties experienced by some children and young people, we believe that much can be done to overcome them by close cooperation between all the services that support children and young people and their families through the joint planning and commissioning of services.

This policy is a statement of the aims, objectives, principles and strategies for supporting children with Special Educational Needs and Disabilities. All procedures for identifying Special Educational Needs follow the New Code of Practice (2015). This policy was developed from the Code of Practice in the Autumn Term of 2016 by the SENCO. This is to be reviewed annually by SENCO and the Governing Body.

## **A system for special educational needs**

The Children and Families Act (2014) and associated regulations take forward a wide ranging reform of the system for identifying, assessing and supporting children and young people with special educational needs (SEND) and their families.

The David Nieper Academy make provision for:

- Children and young people to be at the heart of our systems
- Close cooperation between all the services that support the children and young people in our schools
- Early identification of children and young people with Special Educational Needs
- Clear and consistent information regarding the 'local offer' and how it will support the children and young people in our schools
- For children and young people with more complex needs, a coordinated assessment of needs and 0-25 Education, Health and Care plan (EHC plan)
- A clear focus on outcomes for children and young people with Education, Health and Care plans, anticipating the education, health and care support they will need and planning for a clear pathway through education and into adulthood
- Increased choice, opportunity and contribution for parents and young people

## **Definition of special educational needs (SEND) and disability**

### Definition of special educational needs (SEND)

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 them. A child of compulsory school age or a young person has a learning difficulty or disability if they:

- a) have a significantly greater difficulty in learning than the majority of others of the same age: or
- b) have a disability which prevents or hinders them from making use of educational facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutes
- c) a child under compulsory school age has special educational needs if they fall within the definition at (a) or (b) above or would so do if special educational provision was not made for them.

*(Clause 20 Children and Families Act 2014 and C of P 2015)*

### Definition of disability

Many children and young people who have SEND may have a disability under the Equality Act 2010- that 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'. This definition includes sensory impairments such as those affecting sight or hearing, and long-term health conditions such as asthma, diabetes, epilepsy and cancer. Children and young people with such conditions do not necessarily have SEND.

*(C of P xviii)*

### **Special education provision means:**

- For a child or young person over two, educational provision which is additional to, or different from, the educational provision made generally for children of the same age in maintained schools, (other than special schools) in the area.
- For a child under two, educational provision of any kind.

*(Section 21 Children and Families Act 2014)*

The David Nieper Academy will have due regard for the Special Needs Code of Practice when carrying out our duties towards all pupils/students with special educational needs, and ensure that parents are notified when SEND provision is being made for their child/young person.

## **Admissions**

Our Governing Body believe that the admissions criteria should not discriminate against pupils/students with SEND and have due regard for the practice advocated in the Code of Practice, which states that;

Most children and young people with SEND have always been taught in mainstream settings. Where a child or young person has SEND but does not have an Education Health Care Plan (EHC plan) they must be taught in a mainstream setting except in specific circumstances (see below)

The school Admissions Code of Practice requires children and young people with SEND to be treated as fairly as others. Admissions authorities:

- Must consider applications from the parents of children and young people who have SEND who do not have an EHC plan on the basis of the schools published admissions criteria as part of normal admissions procedures
- Must not refuse to admit a child/young person with SEND but does not have an EHC plan because they do not feel able to cater for those needs
- Cannot refuse to admit a child/young person on the grounds that they do not have an Education, Health and Care plan

Parents of children with an EHC plan and young people with such a plan have the right to express a preference for a particular school.

## **Evaluating the Success of our SEND/Inclusion Policy**

The Governing Body of the Academy will report annually on the impact of the policy and to facilitate this, we have identified specific objectives which are given at the beginning of this policy.

In evaluating the impact of this policy, the school will consider the views of:

- Teachers/staff
- Parents/carers
- pupils/students

The impact of the SEND and Inclusion policy will be evaluated by the careful monitoring of the impact of interventions and whether adequate progress has been made. Where sufficient progress has not been made the academy will consider increasing the intensity and frequency of the support and review the need for increased expertise. Where sufficient progress has been made we will consider tailoring support to reflect the progress made and review whether SEND support for the child or young person should be continued.

## Identification, assessment and provision

The David Nieper Academy have adopted a whole-school approach to SEND policy and practice. Pupils/students identified as having SEND are, as far as is practicable, fully integrated into mainstream classes. Every effort is made to ensure that they have full access to the National Curriculum and are fully included in the school community and all its activities. This is supported by the duties that local authorities, early years providers, school and colleges have towards disabled people under the Equality Act 2010.

The SEND Code of Practice 2015 makes it clear that all teachers are teachers of children with special educational needs.

We believe it is vital to identify quickly and accurately where children and young people have SEND that requires additional support so that this can be put in place. All our teachers are equipped to teach children and young people with a diverse range of need and alongside parents and other staff are responsible for identifying pupils/students with SEND in collaboration with the SENCO. This will ensure that those pupils/students requiring different or additional support are identified at an early stage.

### Identifying needs

The David Nieper Academy believe that the identification of SEND should be built into the overall approach to monitoring the progress and development of all pupils/students. Schools will assess each pupil/student's current skills and levels of attainment on entry.

Class and subject teachers, supported by the Senior leadership team, make regular assessments of progress for all pupils/students. Where pupils/students are falling behind or making inadequate progress given their age and starting point they will be given extra support.

Teachers may suspect that a pupil/student has SEND and whilst informally gathering evidence (including the views of the pupil/student and their parents) will not delay putting general teaching support in place where required. The pupil/student's response to such support can help identify their particular needs.

Adequate progress can include progress which:

- is similar to that of peers starting from the same baseline;
- matches or betters the child/young person's previous rate of progress;
- closes the attainment gap between the child/young person and their peers;
- prevents the attainment gap growing wider.

Where pupils/students continue to make inadequate progress, despite high-quality teaching designed to address their needs, the class/subject teacher, working with the SENCO, will assess whether the child/young person has a significant learning difficulty. Where this is the case, then there will be an agreement about the SEND support that is required to support the child/young person.

## SEND Support in the academy

The SENCO in consultation with parents, and, where appropriate, the young person will decide whether the student requires SEND Support.

Many of the children or young people who are not progressing as expected, or are falling behind their peers can be supported, and have their needs met, through high quality teaching and learning strategies:- modification to teaching approaches and to classroom organisation, or through provision of ancillary equipment aids.

However, for those children or young people who have SEND and who require support and/or interventions that are additional to or different from those normally provided as part of the differentiated curriculum offer and strategies, we will need to put in place SEND Support. A child or young person will be provided with such support following discussion with parents about the identified needs, the support to be provided, and how improved outcomes can be achieved.

### **Referral for an Education, Health and Care Plan (EHCP)**

If a child or young person has lifelong or significant difficulties they may undergo a Statutory Assessment Process which is usually requested by the academy but can be requested by a parent. This will occur where the complexity of need or a lack of clarity around the needs of the student are such that a multi-agency approach to assessing that need, to planning provision and identifying resources, is required.

The decision to make a referral for an EHCP will be taken at a progress review.

The application for an EHCP will combine information from a variety of sources including:

- Parents/carers
- Teachers/staff
- SENCO
- Social Care
- Health professionals

Information will be gathered relating to the current provision provided, action points that have been taken, and the outcomes of targets set. A decision will be made by the group of professionals, mindful of the views of parents/carers about whether or not the child is eligible for an EHC Plan.

Parents have the right to appeal against a decision not to initiate a statutory assessment leading to an EHCP.

## **Education, Health and Care Plans**

- a. Following Statutory Assessment, an EHCP may be provided by Derbyshire County Council, if it is decided that the child or young person's needs are not being met by the support that is ordinarily available. The school and the child/young person's parents will be involved developing and producing the plan.
- b. Parents have the right to appeal against the content of the EHCP. They may also appeal against the school named in the Plan if it differs from their preferred choice.
- c. Once the EHCP has been completed and agreed, it will be kept as part of the pupil/student's formal record and reviewed at least annually by staff, parents and the pupil/student. The annual review enables progress to be measured and the impact of provision to be determined and where appropriate, for changes to be put in place, for example, reducing or increasing levels of support based on the progress made and needs reviewed.

## **Local Offer**

The local authority sets out their Local Offer, which is a description in broad terms of the special educational provision early years providers, schools, and the full range of post-16 providers and other institutions are expected to provide from their own budgets to support children and young people with SEND, including information about the arrangements in place for children with SEND.

The Local Offer will include arrangements for supporting children and young people who are looked after by the local authority. In addition to the information in the local offer about the special educational provision the local authority expects to be available in early years providers, schools and post-16 institutions, schools are required to publish, under the *Special Educational Needs (Information) Regulations*, more detailed information about their arrangements for identifying, assessing and making provision for pupils/students with SEND.

The academy will also publish its local offer for students with identified SEND.

## **The Role of the SENCO**

The SENCO at the academy will be a member of the SLT to ensure effective working with the Headteacher and Governing Body to determine the strategic development of the policy. Other responsibilities may include:

- overseeing the day-to-day operation of the policy;
- together with the class/subject teacher (using school systems) co-ordinating the provision for pupils/students with SEND;
- with the Headteacher maintain an over-view of the budget available for special educational needs and the deployment and quality of resources;
- preparation of High Level Needs and Additional Family Needs bids and documentation for Education and Health Care Plans;
- liaising with and giving advice to others;
- managing a range of resources, including Teaching Assistants, to enable appropriate provision to be made ;
- overseeing and ensuring access to pupils' records;

- liaising with the parents;
- making a contribution to Continued Professional Development;
- liaising with external agencies such as, LA support services Health and Children's Social Care and voluntary bodies;
- Ensuring with the Headteacher and governors that the school meets its responsibilities under the Equality Act (2010) with regard to reasonable adjustments and access arrangements

The SENCO plays a key role in planning for children and young people with SEND who will be transferring between schools and phases of their education including entry to a college or a provider for further education. Early planning is essential. The SENCO will liaise with those responsible for admissions, curriculum and support for young people with SEND.

### **The Role of the Governing Body**

The Governing Body's responsibilities to pupils with SEND include:

- Ensuring that provision of a high standard is made for vulnerable/SEND pupils/students and monitor the impact of the provision provided
- Ensuring that a 'responsible person' is identified
- Ensuring that SEND pupils/students are fully involved in school activities
- Having regard to the Code of Practice when carrying out these responsibilities
- Being fully involved in developing and subsequently reviewing SEND policy
- Reporting to parents on the school's SEND policy, including the allocation of resources from the school's delegated/devolved budget.

### **The Role of the Class-Teacher/Subject Teacher/Support Staff**

The Code of Practice acknowledges the importance the teacher, whose responsibilities include:

- Being aware of the school's procedures for the identification and assessment of and subsequent provision for SEND pupils/students.
- Collaborating with the SENCO to decide the action required to assist the pupils/students to progress.
- Having high expectations of SEND pupils/students.
- Working with the SENCO to collect all available information on the pupils/students.
- In collaboration with the SENCO develop appropriate targets for SEND pupils/students.
- Working with SEND pupils on a daily basis to deliver the individual programme set out in their Provision Map/targets.
- Developing constructive relationships with parents.
- Being involved in the development of the school's SEND policy.
- Ensuring that the SENCO well informed about pupils'/Students progress,

### **The Role of the Headteacher**

The Headteacher's responsibilities include:



- The day-to-day management of all aspects of the school including SEND provision.
- Keeping the Governing Body well informed about SEND within school
- Working closely with the SENCO/SEND Team
- Informing parents of the fact that SEND provision has been made for their child or young person
- Ensuring that the academy has clear and flexible strategies for working with parents and that that these strategies encourage involvement in their child's/young person's education.
- Ensuring pupil/student progress meetings are facilitated on a regular basis by the class/subject teacher.

### **The Role of the Student**

In our academy, we encourage our students to take responsibility and to make decisions. This is part of the culture of our academy and relates to children and young people of all ages. We recognise the importance of children and young people developing social as well as educational skills.

### **Partnership with Parents**

The David Nieper Academy firmly believes in developing a strong partnership with parents and that this will enable children and young people with SEND to achieve their potential. The academy recognises that parents have a unique overview of their child's/young person's needs and how best to support them, and that this gives them a key role in the partnership.

#### Involving parents and pupils in planning and reviewing progress

The David Nieper Academy produce a report for parents on their child's/young person's progress four times a year. Where a pupil/student is receiving SEND support, schools staff will arrange to meet parents at least termly to set clear goals, discuss the activities and support that will help achieve them, review progress and identify the responsibilities of the parent, the pupil/student and the school.

These meetings will allow sufficient time to explore the parents' views and to plan effectively. Meetings should, wherever possible, be aligned with the normal cycle of discussions with parents of all children/young people; they may, however, be longer than most parent-teacher meetings.

The views of the child and young people (where appropriate) will be included in this planning. This could be through involving the child/young person in all or part of the meeting, or gathering their views as part of the preparation for the meeting.

Following the meeting the SENCO/teacher will inform all the appropriate school staff of the outcomes and agreed targets, as well as updating the pupil's/student's record as appropriate.

### **Involving Specialists**

Where a child/young person continues to make little or no progress, despite support that is matched to the child's/young person's area of need, the school will consider involving specialists, including those from outside agencies.

The academy may involve specialists at any point to advise them on early identification of SEND and effective support. Our academy will always involve a specialist where a child or young person continues to make little or no progress over a sustained period or where they continue to work at levels substantially below those expected of children of a similar age despite well-founded SEND support.

The child's/young person's parents will always be involved in any decision to involve specialists. The involvement of specialists and what was discussed or agreed will be recorded and shared with the parent and teaching staff supporting the child or young person in the same way as other SEND support. When the involvement of specialists has been agreed by all stakeholders, the SENCO will write a referral with the help of the class/subject teacher to be presented at one of the termly Springboard meetings.

The class/subject teacher and SENCO, together with the specialists, will consider a range of well-founded and effective teaching approaches, appropriate equipment, strategies and interventions in order to support the child's/young person's progress. They will agree the outcomes to be achieved through the support, including a date by which progress will be reviewed. Support can be adapted or replaced depending on how effective it has been in achieving the expected outcomes.

#### The Educational Psychologist

One source of external support that schools and colleges can seek is from the local Educational Psychology Service. These specialists provide on-going advice about children and young people with EHC Plans to education settings and to parents, as well as contributing to school and college understanding of practical interventions that will support progress and well-being. Educational psychologists also contribute to staff training and development.

#### Child and Adolescent Mental Health Services (CAMHS)

CAMHS can provide advice, support and consultation to family members, carers and workers from health, children's social care, educational and voluntary agencies. Some children and young people identified as having SEND may benefit from referral to specialist CAMHS for the assessment and treatment of their mental health problems. A variety of working arrangements exist between schools and local health partner organisations to facilitate co-operative partnerships and clear joined up care pathways to support individual children, young people and their families.

#### Specialist support teachers or support services (MAT)

There is a range of specialist teachers who provide advice, direct support and guidance consultation to children and young people with a range of SEND. In particular, specialist teachers for children with Sensory impairment and those with physical impairment, support schools in modifying their curriculum and environment to ensure needs can be met. SEND support services may be commissioned by local authorities and delivered in a range of ways, including through schools.

Behaviour support teams work to support children and young people with emotional and social difficulties in school. They provide early intervention and preventative work at whole school, group and individual level, and support schools in meeting the needs of those with more complex needs.

Other roles which support children and young people with SEND

Speech and Language Therapists

School Nurse/Health Visitors

Occupational Therapists

Physiotherapists

Paediatricians

Physical Disability Support Service

### **Complaints procedure**

The school's complaints procedure is outlined in the school prospectus. The SEND Code of Practice outlines additional measures the local authority must set up for preventing and resolving disagreements. These will be explained to parents as required.

### **SEND and Inclusion Policy Review**

The David Nieper Academy considers the SEND and Inclusion Policy document to be important and, in conjunction with the Governing Bodies and staff of each school, undertakes a thorough review of both policy and practice each year. The outcomes of this review are used to inform our School Improvement Plans.