



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

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## Document provenance

This policy was approved by Trustees as follows –

Approver: Education Committee

Date of Approval: September 2020

Executive Leadership Team (ELT) Owner:  
National Director of Education

Date of Review: September 2021

*Unless there are legislative or regulatory changes in the interim, this policy will be reviewed annually. Should no substantive changes be required at that point, the policy will move to the next review cycle.*

### 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.

### Summary of changes at last review:

- Reference to temporary legislative changes relating to Covid-19.
- Amendment to the policy statement on page 4 ‘all they can so that pupils with SEND get the support they need’.
- Removal of reference to a system leader for SEND throughout the policy.
- Additional responsibilities for academies and education staff in relation to curriculum provision and impact.
- Making language and formatting consistent.

### Related documents:

- Equality and Diversity Policy
- Academy SEND Information Report
- Academy Equality Objectives (Academy specific)
- Pupil Mental Health and Wellbeing Policy
- Supporting Students with Medical Needs Policy
- Academy COVID-19 Risk Assessment (Academy specific)

**Academic Year 2020-2021**

**Key Contacts**

<b>Academy Name:</b>	
<b>Headteacher:</b>	
<b>SENCO:</b>	
<b>Deputy SENCO:</b>	
<b>Regional Education Director:</b>	
<b>Link to SEND Information Report (SIR):</b>	
<b>Link to the Local Offer:</b>	

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

## 1. Introduction and Purpose

- 1.1. This policy sets out our vision and principles for children and young people with SEND and our expectations for all of our academies across the Trust. The offer in our curriculum and wider activities within each of our Academies can be found in the SEND Information Reports which are published on our academy websites.

## 2. Scope

- 2.1. This policy applies to all education staff, as well as professional services staff when considering reasonable adjustments, funding and provision for learners with SEND.

## 3. Legislation and Regulation

- 3.1. This policy is compliant with the following legislation and regulation:

- The Special Educational Needs and Disability Code of Practice 2015<sup>1</sup>
- The Equality Act 2010<sup>2</sup>
- The Children and Families Act 2014, Part 3<sup>3</sup>
- The Special Educational Needs and Disability Regulations 2014<sup>4</sup>.

- 3.2. On 1 May 2020, some aspects of the law on education, health and care (EHC) needs assessments and plans (EHCPs) changed temporarily to give local authorities, health commissioning bodies, education settings and other bodies who contribute to these processes, more flexibility in responding to the demands placed on them by coronavirus (COVID-19). These changes will come to an end on 25 September 2020, after which all the usual statutory timescales will come back into force.

## 4. Definitions within this Policy

### 4.1. Definition of SEND (Special Educational Needs and Disabilities)

4.1.1. 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.

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

- Have a significantly greater difficulty in learning than the majority of others of the same age; or
- Have 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.

4.1.3. For children aged two or more, special educational provision is educational or training

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<sup>1</sup> [SEND Code of Practice 2015](#)

<sup>2</sup> [Equality Act 2010](#)

<sup>3</sup> [Children and Families Act part 3, 2014](#)

<sup>4</sup> [Special Educational Needs and Disability Regulations 2014](#)

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.

#### **4.2. Definition of Disability**

4.2.1. Many children and young people with SEND 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.

4.2.2. The Equality Act requires early years' 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'.

### **5. Policy Statement**

5.1. E-ACT's three core values are at the heart of all we do 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' and do everything we can to make sure that a child with SEND gets the support they need).

5.2. We will 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 local authorities including the local authority in which the academy is located, and the home local authority of children with SEND 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.

#### **5.3. Support for our Academies**

5.3.1. E-ACT uses a regional model of support whereby each region is supported by a Regional Education Director. The Regional Education Director works with Headteacher and SENCOs to ensure support and training are of the same high standard across the region and share specialist expertise with other regions.

5.3.2. The services offered to academies may 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.

#### 5.4. Education and Health

5.4.1. All academies must 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.

5.4.2. All academies will make reasonable adjustments for disabled children and young people and will make arrangements to support those with medical conditions.

#### 5.5. What our academies will do

5.5.1. Academies will designate a qualified teacher to be responsible for coordinating SEND provision (the designated SENCO) who will have completed the National Award in Special Educational Needs Coordination within three years of taking up the position.

5.5.2. Academies will prepare a SEND Information Report in accordance with paragraphs 6.79 onwards of the DfE *SEND Code of Practice* and publish their Information Reports on their website. This report will set out the details regarding the implementation of the E-ACT SEND and Learning Policy.

5.5.3. 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

5.5.4. 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.

5.5.5. Academies will ensure that pupils with SEND acquire the knowledge and cultural capital they need to succeed in life.

5.5.6. Academies will ensure there is high ambition for pupils with SEND and ensure they are not provided with a reduced curriculum.

5.5.7. Academies will employ a variety of assessment and screening tools to assess a child or

young person's skills and attainment to identify and build on information received from previous settings in consultation with their parents and carers. This could lead to pupils being placed on 'SEND support' (see Appendix 1)

- 5.5.8. 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.
- 5.5.9. 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.
- 5.5.10. 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.
- 5.5.11. 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. For all children and young people on 'SEND Support', academies will make arrangements for an appropriate member of staff, 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.
- 5.5.12. 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'.
- 5.5.13. 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.
- 5.5.14. 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).
- 5.5.15. Academies will work with relevant local authorities 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.

## **6. Training**

- 6.1. Academies will ensure training is provided to all staff on identifying special educational needs. They will learn about and best practice in supporting pupils with SEND both inside and outside of the classroom. The collaboration within and across our E-ACT academies will support the sharing of best practice for SEND.

## **7. Responsibilities**

- 7.1. The following responsibilities apply in relation to this policy:
- 7.2. 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.
- 7.3. SENCOs are responsible for ensuring the education within the academy is compliant with the E-ACT SEND and Learning Policy, as well as supporting parents and carers and the pupils in meeting their responsibilities.
- 7.4. Teachers are responsible for working in line with the DfE Teachers' Standards<sup>5</sup> and providing appropriate education for all the learners within their class(es) as outlined in Section 6 of the SEND Code of Practice 2015.
- 7.5. Trustees and the Executive Leadership Team have overall responsibility for the implementation and approval of this policy.

## **8. Monitoring and Compliance**

- 8.1. Headteachers will monitor compliance with this policy within their academies. on the termly Governance Review Days (GRDs) the Regional Education Director will scrutinise the impact of this policy in supporting SEND pupils and in meeting the SEND Code of Practice. The Regional Education Director will report to the Executive Leadership Team at the termly Regional Performance Board (RPB).

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<sup>5</sup> <https://www.gov.uk/government/publications/teachers-standards>



# 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 pupils with differing needs requires a whole academy approach and teachers will plan, teach, assess and evaluate in ways that will meet the range of abilities, aptitudes and interests of the pupils. A whole academy sanctions and rewards system that provides structure, boundaries and opportunities for success is an example of a whole academy provision that is carefully designed to support the range of pupils within an academy. 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

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 Learning Support Assistant 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, adapted resources 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.