



East Midlands  
Education Trust

# Special Educational Needs and Disability

Spring 2023

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# 1 SEND and young children

- 1.1 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”.

Long term is defined as “a year or more” and “substantial” is defined as “more than minor or trivial”. 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, but there is a significant overlap between a child with a disability and young people and those with SEND. Where a disabled child or young person requires special educational provision, they will also be covered by the SEND definition as outlined in the SEND Code of Practice 2014.

It relates to children and young people with special educational needs and disabled (SEND) children and young people. A ‘young person’ in this context is a person over compulsory academy age and under 25.

- 1.2 Definition of special educational needs (SEN) taken from section 20 of the Children and Families Act 2014.

“A child or young person has SEN 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 institutions.

A child under compulsory school age has special educational needs if they fall within the definition at (a) or (b) above, or would do so if special educational provision was not made for them.

Children must not be regarded as having a learning difficulty solely because the language or form of language of their home is different from the language in which they will be taught.

The coalition government of 2010 reformed the way in which provision and support is made for children and young people with special educational needs and/or disabilities in England. Legislation (The Children and Families Act 2014) enacted on the 13 March came into force from the 1 September 2014. A new SEND Code of Practice also accompanied this legislation. More details about the reforms and the SEND Code of Practice can be found on the DfE website at <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25> “

1.3 One significant change arising from the reforms is that Statements of Special Educational Needs, for those children with the most complex needs, have been replaced with Education, Health and Care (EHC) Plans. These plans are being supported by an Education, Health and Care Plan Pathway.

1.4 The SEND Local Offer is a resource which is designed to support children and young people with special educational needs and/or disabilities and their families. It describes the services and provision that are available both to those families in their area that have an Education, Health and Care Plan and those who do not have a plan, but still experience some form of special educational need. The SEND Local Offer includes information about public services across education, health and social care, as well as those provided by the private, voluntary and community sectors.

## 2 Scope and Purpose

2.1 All East Midlands Education Trust (EMET) Academies aim to provide every student with access to a broad and balanced education. This includes the National Curriculum in line with the Special Education Needs Code of Practice (2014).

2.2 EMET aims are:

2.2.1 To provide a secure environment in which pupils with special educational needs are enabled to achieve their potential.

2.2.2 To foster maximum independence in educational, social and emotional terms and to Promote lifelong learning for pupils with special educational needs.

2.2.3 To prepare all young people with special educational needs to contribute to society as responsible citizens.

2.2.4 To ensure that the individual needs of all our pupils are recognised and addressed and that the pupils themselves are involved in all stages of the process.

2.2.5 To ensure that pupils with special educational needs will have access to a broad and balanced curriculum, including the National Curriculum and that they can take part in all school activities.

2.2.6 To ensure the whole school approach which provides a coordinated and cohesive response to pupils' individual needs.

2.2.7 To build positive partnerships with parents/carers in planning provision for pupils.

2.2.8 To ensure effective liaison with, and efficient use of, outside agencies.

### 3 Objectives

- 3.1 Identify the needs of pupils with SEND as early as possible. This is most effectively done by gathering information from parents, education, health and care services and, in the case of a secondary school, feeder primary schools prior to the child's entry into the school. In the absence of a formal diagnosis the school will not assume a disability or medical condition but will aim to support the individual needs of a pupil.
- 3.2 Monitor the progress of all pupils in order to aid the identification of pupils with SEND. Continuous monitoring of those pupils with SEND by their teachers will help to ensure that they are able to reach their full potential.
- 3.3 Make appropriate provision to overcome all barriers to learning and ensure pupils with SEND have full access to a broad and balanced curriculum. This will be co-ordinated by an identified member of staff (such as a SENCO or equivalent) and will be carefully monitored and regularly reviewed in order to ensure that individual targets are being met and all pupils' needs are catered for.
- 3.4 Work with parents to gain a better understanding of their child, and involve them in all stages of their child's education. This includes supporting them in terms of understanding SEND procedures and practices, providing regular reports on their child's progress, and providing information annually on the provisions for pupils within the school as a whole, and the effectiveness of the SEND policy and the school's SEND work. The school aims to support parents in gaining a full understanding of pupil needs.
- 3.5 Work with, and in support of, outside agencies when the pupils' needs cannot be met by the school alone.
- 3.6 Create a school environment where pupils feel safe to voice their opinions of their own needs. This may include providing regular one to one meetings between pupils and their teachers and the Inclusion Team and will be made easier by carefully monitoring the progress of all pupils. Pupil participation is a right and will be dealt with in an age appropriate manner. This will be reflected in decision-making but also encouraged through wider opportunities for participation in school life e.g. membership of a School Council.

### 4 Roles and Responsibility for the coordination of SEND provision

- 4.1 The person responsible for overseeing the provision for children with SEND in EMET academies will be the SENCO.
- 4.2 In all EMET Academies there is:
  - 4.2.1 A team of highly skilled and professional teaching assistants to support within departments and throughout the school.
  - 4.2.2 A team of experienced staff to support literacy across the curriculum.
  - 4.2.3 Access to highly skilled teams of outside agencies who support individual needs

4.3 For the named person in each Academy please ask a senior member of staff.

## 5 Arrangements for coordinating SEND provision

5.1 The SENCO (or in the case of the trust SENCO their school based representative) will hold details of all SEND support records such as provision map, support plans, structured conversations and subject targets for individual students.

5.2 All staff have access to:

5.2.1 The Trust SEND policy.

5.2.2 A copy of the full SEND register or alternative academy documentation used for tracking the cohort.

5.2.3 Guidance on identification in the Code of Practice (SEND support and students with Education Health and Care Plans).

5.2.4 Information on individual student's special educational needs including action plans, targets, outcomes and their provision.

5.2.5 Practical advice, teaching strategies and information about types of special educational needs and disabilities.

5.2.6 Information on the staff IT system about individual students and their special educational needs and requirements.

5.2.7 Access to information on current legislation and SEND provision.

5.2.8 Information available through the respective local authority SEND Local offer.

5.3 The SEND policy and supporting information is made accessible to all staff and parents in the appropriate format in order to aid the effective co-ordination of the school's SEND provision. Every staff member will have complete and up-to-date information about all pupils with additional/special educational needs and their requirements which will enable them to provide for the individual needs of all pupils.

## 6 Admission arrangements

6.1 The admission arrangements for all students are in accordance with national legislation, including the Equality Act 2010. This includes children with any level of SEND; those with Education, Health and Care Plans and those without. Please see each school's individual admissions policy for more details.

- 6.2 Transition between Academy feeder primary and non-feeder academies always commence at some point in the summer term. For students with identified SEND, this transition may commence sooner.

## 7 Specialist SEND provision

- 7.1 EMET Academies have a diverse number of students with SEND and a dedicated team of professional staff who specialise in SEND provision and support. EMET is committed to whole Academy inclusion.
- 7.2 Where appropriate, an academy may make adjustments to their curriculum offer to meet the needs of an individual student or a group of students.

## 8 Facilities for students with SEND

- 8.1 All EMET Academies comply with legal and relevant accessibility requirements and have a range of SEND facilities in place; please see the EMET Access policy. This includes:
  - 8.1.1 Physical environments (lifts, lighting, wheelchair access, acoustic tiling).
  - 8.1.2 Assistive technology.
  - 8.1.3 Increased access to the curriculum and assistance during examinations

## 9 Allocation of resources for students with SEND

- 9.1 All pupils with SEND will have access to Element 1 and 2 of a school's budget which equates to £6,000. Some pupils with SEND may meet the countywide criteria to access additional funding.
- 9.2 This additional funding might be from a budget which is devolved to and moderated by a representative from the local authority. The decision to consider an application for additional funding is made after careful consultation between SENCO, key school staff and families.
- 9.3 For those with the most complex needs, additional funding is usually retained by the local authority. The SENCO will refer individual applications to a multi-agency panel, which is administered by the Local Authority, who will determine whether the level and complexity of need meets the threshold for this funding.
- 9.4 To support pupil progress and meet individual needs the school aims to use SEND funding as part of its resource allocation which may include other sources where appropriate e.g. Pupil Premium, Catch Up Premium.

## 10 Identification of students needs

### 10.1 Identification

See definition of Special Educational Needs at start of policy.

### 10.2 A graduated approach: quality first teaching

- 10.2.1 Any pupils who are falling *significantly* outside of the range of expected academic achievement will be monitored.
- 10.2.2 Once a pupil has been identified as *possibly* having SEND they will be closely monitored by staff in order to gauge their level of learning and possible difficulties.
- 10.2.3 The pupil's subject/class teachers will take steps to provide differentiated learning opportunities that will aid the pupil's academic progression and enable the teacher to better understand the provision and teaching style that needs to be applied.
- 10.2.4 The child is formally recorded by the school on the inclusion register as being under observation due to concern by parent or teacher. They may also be listed on the inclusion/MAC (monitoring and concern) register if their SEND is identified and is able to be provided for through quality first teaching with strategies provided by the inclusion team. This does not place the child on the school's SEND support register (See 8.3 SEND Support). Parents are given this information and the school will closely monitor each child's progress.
- 10.2.5 The SENCO will be consulted as needed for support and advice and may wish to observe the pupil in class. This is part of the assessment process.
- 10.2.6 Through 10.2.2 and 10.2.5 it can be determined which level of provision the child will need going forward.
- 10.2.7 If a pupil has recently been removed from the SEND Support Register they may also fall into this category as continued monitoring will be necessary.
- 10.2.8 Parents will be informed fully of every stage of their child's development and the circumstances under which they are being monitored. Advice will be offered in respect of the circumstance under which a pupil would be monitored. They are encouraged to share information and knowledge with the school.
- 10.2.9 Pupil progress meetings/consultation afternoons are used to monitor and assess the progress being made by the child. The frequency of these meetings is dependent on the individual child's needs and progress being made.



10.2.11 Pupils receiving monitored/inclusion support will be offered the opportunity to meet with subject teachers and tutors as part of the schools' reporting and consultation process.

10.2.12 Support is focussed on outcomes, not hours.

### 10.3 **SEND support**

Where it is determined that a pupil does have SEND and their progress is significantly outside expected academic achievement, parents will be formally advised of this and the decision to offer 'additional SEND support' and will be added to the pupil's school file. This is in addition to their placement on the school's Inclusion Register. The aim of formally identifying a pupil with SEND for Additional SEND Support is to help the school ensure that effective provision is put in place and so remove barriers to learning. The support provided consists of a four – part process:

10.3.1 Assess

10.3.2 Plan

10.3.3 Do

10.3.4 Review

This is an ongoing cycle to enable the provision to be refined and revised as the understanding of the needs of the pupil grows. This cycle enables the identification of those interventions which are the most effective in supporting the pupil to achieve good progress and outcomes. This process replaces the previous School Action and School Action Plus stages in the previous SEND code of practice.

### 10.4 **Assess**

This involves clearly analysing the pupil's needs using the subject teacher's assessment and experience of working with the pupil, details of previous progress and attainment, comparisons with peers and national data, as well as the views and experience of parents. The pupil's views and, where relevant, advice from external support services will also be considered. Any parental concerns will be noted and compared with the school's information and assessment data on how the pupil is progressing. As a school we aim to support parents in pursuit of any investigation to formalise a pupil's individual needs.

This analysis will require regular review to ensure that support and intervention is matched to need, that barriers to learning are clearly identified and being overcome, and that the interventions being used are developing and evolving as required. This process will be undertaken through the school's progress report cycle. Where external support staff are already involved, their work will help inform the assessment of need. Where they are not involved they may be contacted, if this is felt to be appropriate, following discussion and agreement from parents.

### 10.5 **Plan**

Planning will involve consultation between the teacher, the SENCO and parents to agree the adjustments, interventions and support that are required; the impact on progress, development and or behaviour that is expected and a clear date for review. Parental involvement may be sought, where appropriate, to reinforce or contribute to progress at home.

All those working with the pupil, including support staff will be informed of their individual needs, the support that is being provided, any particular teaching strategies/approaches that are being employed and the outcomes that are being sought.

#### 10.6 **Do**

The subject/class teacher remains responsible for working with the child on a day-to-day basis. They will retain responsibility even where the interventions may involve group or one-to-one teaching away from the main subject/class teacher. They will work closely with those involved with inclusion and/or relevant specialist staff to plan and assess the impact of support and interventions and links with classroom teaching. Support with further assessment of the pupil's strengths and weaknesses, problem solving and advising of the implementation of effective support will be provided by the SENCO.

#### 10.7 **Review**

Reviews will be undertaken in line with agreed dates. The review process will evaluate the impact and quality of the support and interventions. It will also take account of the views of the pupil and their parents. The subject/class teacher, in conjunction with the SENCO will revise the support and outcomes based on the pupil's progress and development making any necessary amendments going forward, in consultation with parents and the pupil.

We believe that children who are capable of forming views have a right to receive and express their opinions, and to have that opinion taken into account. Whenever possible, pupil's opinions and views will be sought. They will be encouraged to be involved in setting their learning targets and in evaluating their own progress. Their views will be taken into account when planning support. Pupils are consulted and actively involved with all aspects of their support. Wherever possible, pupils will be encouraged to attend their review meetings.

Parents will be provided with clear information about the impact of support to enable them to be involved in planning the next steps.

#### 10.8 **Referral for an Education, Health and Care Plan**

If a child has lifelong or significant difficulties, they may undergo a Statutory Assessment Process which is usually requested by the school 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 child 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 Education, Health and Care Plan will be taken at a progress review.

The application for an Education, Health and Care Plans will combine information from a variety of sources including:

- Parents
- Teachers
- SENCO
- Social Care
- Health Professionals

Information will be gathered relating to the current provision provided, action points that have been taken, and the preliminary outcomes of targets set. A decision will be made by a group of people from education, health and social care 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 EHC Plan.

## 10.9 Education, Health and Care Plans [EHC Plan]

- 10.9.1 Following Statutory Assessment, an EHC Plan will be provided by the LA, if it is decided that the child's needs are not being met by the support that is ordinarily available. The school and the child's parents will be involved developing and producing the plan.
- 10.9.2 Parents have the right to appeal against the content of the EHC Plan. They may also appeal against the school named in the Plan if it differs from their preferred choice.
- 10.9.3 Once the EHC Plan has been completed and agreed, it will be kept as part of the pupil's formal record and reviewed at least annually by staff, parents and the pupil. The annual review enables provision for the pupil to be evaluated and, where appropriate, for changes to be put in place, for example, reducing or increasing levels of support. The annual review also provides parents with the opportunity to discuss the content and provision associated with the EHCP.

## 11 Access to the curriculum, information and associated services

- 11.1 Students with SEND will be given access to the curriculum through the specialist SEND provision on offer at the Academy. As far as possible, this will be in line with the wishes of their parents and the needs of the individual.
- 11.2 Every effort will be made to educate students with SEND alongside their peers in a mainstream classroom setting. Where this is not possible, SEND staff will consult with the student's parents for other flexible arrangements to be made.
- 11.3 All EMET Academies will:
  - 11.3.1 Keep staff fully informed of the special educational needs of any student in their charge including sharing progress reports, medical reports and teacher feedback.
  - 11.3.2 Provide regular training and learning opportunities for staff in all departments on the subject of SEND and SEND teaching. Academy staff should be up to date with teaching methods which will aid the progress of all students including those with SEND.
  - 11.3.3 Make use of all class facilities and space.

- 11.3.4 Use in-class provisions and support effectively to ensure that the curriculum is differentiated where necessary.
- 11.3.5 Ensure that individual or group tuition is available where it is felt that students would benefit from this provision.
- 11.3.6 Ensure that any decision to provide group teaching outside the classroom will involve discussions with parents/carers alongside the SENCO providing clear rationale for the change to more flexible teaching.
- 11.3.7 Set appropriate individual targets that motivate students to do their best, and celebrating achievements at all levels

## 12 Inclusion of students with SEND

- 12.1 The Trust SENCO will oversee the Trust's Policy for Inclusion but it remains the responsibility of governors for ensuring that this policy is implemented effectively across the trust.
- 12.2 Each Academy will ensure that the curriculum is regularly reviewed by the Leadership Team to ensure that it promotes inclusion of all students. This includes outside the classroom.
- 12.3 Each Academy will, where appropriate, seek advice on the curriculum for individual students from external support services through the appropriate pathway.
- 12.4 Each academy will, where appropriate, make *reasonable* adjustments to their behaviour and consequence systems to allow for students with a protected characteristic to be sanctioned in a way that is best suited to their needs.

## 13 Evaluating the success of provision

- 13.1 In order to make consistent continuous progress in relation to SEND provision each academy encourages feedback from staff, parents and pupils throughout the year. This is a continuous process including progress reviews, consultation meetings, pupil views, provision mapping and the analysis of data.
- 13.2 Pupil progress will be formally monitored on a termly basis; this may include a face to face meeting for pupils on the SEND Support Register in line with the SEND Code of Practice.
- 13.3 There is an annual formal evaluation of the effectiveness of the school SEND provision and policy undertaken at the end of each academic year. This is not intended to be an onerous evaluation but should be reported to the governors for each Academy and made available to the Trust board. Information is gathered from different sources such as child and parent view forms, teacher and staff surveys, consultation afternoons, feedback forms and school forums. This will be collated and published by the governing body of each academy (or the proprietors of Academy schools) on an annual basis in accordance with section 69 of the Children and Families Act 2014.

Evidence collected will help inform school development and improvement planning.

## 14. Complaints procedure

- 14.1 We value the partnership between Parents and staff but, should a problem arise, parents are asked to contact the identified academy staff member responsible for SEND in the first instance. In the event of staff or parents requiring clarification of the Special Educational Needs Policy, or its implementation, approaches should be made initially to each school's SENCO.
- 14.2 Any complaints will be treated in accordance with the Trust's complaints procedure.

## 15 In-Service training (CPD)

- 15.1 EMET aims to keep all staff up to date with relevant training and developments in teaching practice in relation to the needs of students with SEND.
- 15.2 All Academies recognise the need to train all staff on SEND issues and funding is available to support this professional development. Each school's SENCO, with Senior Leaders in each academy, ensure that training opportunities are matched to individual Academy development priorities and those identified through the use of provision management.

## 16 Links to support services

- 16.1 EMET continues to build strong working relationships and links with external support services in order to fully support SEND students and aid inclusion.
- 16.2 Sharing knowledge and information with support services is key to the effective and successful SEND provision within all EMET Academies. Any one of the support services may raise concerns about a student. This will then be brought to the attention of the Academy, who will then inform the student's parents.

## 17 Working in partnership with parents

- 17.1 EMET believes in a close working relationship with parents in order to ensure:
  - 17.1.1 Early and accurate identification and assessment of SEND leading to the correct intervention and provision
  - 17.1.2 Continuing social and academic progress of children with SEND
  - 17.1.3 Personal and academic targets are set and met effectively
- 17.2 Parents are kept up to date with their child's progress through progress reports and consultations/parents' evenings.

- 17.3 In cases where more frequent regular contact with parents is necessary, this will be arranged based on the individual student's needs. SEND staff may also signpost parents of students with SEND to the local authority, where specific advice, guidance and support may be required.
- 17.4 If an assessment or referral indicates that a student has additional learning needs the parents and the student will always be consulted with regards to future provision. Parents are invited to attend meetings with external agencies regarding their child, and are kept up to date and consulted in any points of action drawn up in regards to the provision for their child. The Academy's SEND Governor may be contacted at any time in relation to SEND matters.

## 18 Review of the policy

- 18.1 This policy is reviewed annually by the Trust. We will monitor the application and outcomes of this policy to ensure it is working effectively.

## 19 COVID-19 Pandemic Response

- 19.1 All EMET Academies recognise the potential impact of the global pandemic on students, and especially those with a SEND. They will adhere to all government guidelines in respect to the provision for students with SEND during this time and will keep abreast of any updates to this guidance.
- 19.2 All EMET Academies will be mindful of any challenging behaviours and/or social and emotional needs arising due to the period of lockdown and the subsequent return to schools. Additional support will be made available to students in this instance, including phased returns to school where necessary.
- 19.3 Under exceptional circumstances, for example due to a localised outbreak or further closures of schools, vulnerable children (such as those with an EHCP) will be prioritised for face-face provision in schools.
- 19.4 In the event of a student with a SEND having to self-isolate or access remote learning for another reason (for example due to school closures), EMET Academies will recognise the potential challenges of this in terms of their ability to access the curriculum and will work with families to ensure, as far as is possible, a broad and ambitious curriculum.