Truro and Penwith Academy Trust

# Special Educational Needs and Disabilities Policy 2018

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**Statement of intent**

This policy outlines the framework for The Truro and Penwith Academy Trust to meet its duties and obligations to provide a high quality education to all of its pupils, including pupils with special educational needs and / or disabilities. The Trust value each child's unique qualities and strengths. We have high aspirations and expectations for all children with Special Educational Needs and Disabilities (SEND) and strive to ensure that all SEND pupils make rapid and sustained progress from their starting point. We will strive to remove barriers to learning to ensure that all SEND pupils access, participate and engage with their learning therefore enabling them to fulfil their potential. We aim to raise levels of attainment for SEND pupils in order to narrow the gap between those identified with SEND and their peers by working collaboratively with parents/carers.

1. **Aims of this policy:**

- To ensure that responsibility for provision for pupils with SEND remains an integral part of the whole Trust provision
- To ensure that children and young people with SEND can engage successfully in all academy activities alongside pupils who do not have SEND, including making reasonable adjustments for those pupils with a disability so that they have good access to the curriculum and wider academy learning environment
- To work in close partnership with parents, Cornwall Local Authority and other key agencies so that the needs and strengths of each pupil with SEND are fully understood and there is a collaborative and coordinated approach to planning and reviewing any provision
- To ensure a high level of staff expertise to meet pupils' need through universal and targeted training/continued profession development
- To promote independence and resilience in pupils with SEND so that they are well prepared for transition to adulthood.

2. **Legal framework**

**This policy will have due regard to legislation, including, but not limited to:**

- Children and Families Act 2014 (and related regulations).
- Health and Social Care Act 2012.
- Equality Act 2010.
- Mental Capacity Act 2005. Children's Act 1989.

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

- SEND Code of Practice 0-25.
- Supporting Children with Medical Conditions.
- Keeping Children Safe in Education.
- Working Together to Safeguard Children.

3. **Definitions**

The Trust uses the definition of SEND and disability as set out in the SEND code of practice and Equality Act 2010

**SEND Code of Practice 2014**

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 the child. A child of compulsory school age has a learning difficulty or disability if the child has:

- A significantly greater difficulty in learning than the majority of other pupils of the same age or
- Have a disability which prevents or hinders the child from making use of facilities of a kind generally provided for others of the same age in mainstream schools of post 16 institutions 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.

**This definition includes:**

- Sensory impairments such as those affecting sight and hearing
- Long term health issues such as asthma, epilepsy and cancer

## 4. Areas of special educational need

**The academy will make provision for pupils with the following 4 kinds of need:**

- Communication and interaction.
- Cognition and learning.
- Social, mental and emotional health.
- Sensory & or physical

## 5. Admissions

**The academy will ensure they meets their duties under the Schools Admissions Code of Practice by:**

- Not refusing admission for a child that has named the academy in their EHC Plan.
- Adopting fair practices and arrangements in accordance with the Schools Admission Code for the admission of children without an 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 academy 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.

## 6 Roles and responsibilities

**The Truro and Penwith Governing board, Head teachers and SENDCos have a responsibility to:**

- Ensure that the SEND policy is implemented and that it is effective in ensuring that pupils with SEND have the same opportunities to make good progress and play an active and fulfilling role in the life of the academy alongside pupils with no SEND.
- Ensure the academy meets all its statutory duties.
- Ensure that additional funding is deployed effectively and the views of parents and pupils are fully considered.

- Review and evaluate effectiveness of the academy's SEND provision and contribute to plans to develop and enhance this provision.
- Ensure updates on the quality and impact of SEND provision are regular items on the Hub Council cycle of meetings.
- Publish annual information on the Trust's SEND Policy, 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 with being treated less favourably than others, the facilities disabilities provided to assist pupils with disabilities, and the academy's accessibility plan.
- Publish accessibility plans setting how they plan to increase access for pupils with disabilities to the curriculum, the physical environment and to information, reviewable every 3 years.
- 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 6th day of a fixed permanent exclusion of a pupil with SEND, in line with their EHC plan.

**The Head of School has a responsibility to:**

- Ensure that those teaching or working with the pupil are aware of their needs, and have arrangements in place to meet them.
- Ensure that teachers monitor and review the pupil's progress during the course of the academic year.
- Cooperate with local authorities 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 academy.
- Regularly and carefully review the quality of teaching for pupils at risk of underachievement, as a core part of the academy's performance management arrangements.
- Ensuring that teachers understand the strategies to identify and support vulnerable pupils and possess knowledge of the SEND most frequently encountered.

**The SEND Coordinator (SENDCO) must:**

- Be a qualified teacher.
- Attain the National Award in Special Educational Needs Coordination within three years of appointment.
- Collaborate with the hub council and Headteacher, as part of the academy leadership team, to determine the strategic development of SEND policy and provision in the academy.
- Work with the hub lead and the Headteacher to ensure that the academy 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 who have 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 academy'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 1-page profile of the child or young person 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 support role to the family.
- Ensure, as far as possible, that pupils with SEND take part in activities of the academy together with those who do not have SEND, including on forums.
- Ensure that the academy keeps the records of all pupils with SEND up-to-date.
- Inform the child's parents that SEND provision is being made, where the child does not have an EHC plan.

**Class / subject 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 pupil themselves.
- Set high expectations for every pupil and aim to teach them the full curriculum, whatever their prior attainment.
- Use appropriate assessment to set targets which are deliberately ambitious.
- Plan lessons to address potential areas of difficulty and to ensure that there are no barriers to every pupil achieving.

## 7 Involving pupils and parents in decision making

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

- Focus on the child or young person
- Focus on the child or young person 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 child or young person's strengths and capacities.
- Enable the child or young person, 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.

## 8 Joint commissioning, planning, and delivery

**The Trust will collaborate with the local authority 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, taking into account:**

- Prevention.
- Early identification / recognition.
- How pupils and their families will be able to access services.
- How transitions between life stages and settings will be managed, including from early
- How provision and support services will enable pupils to prepare for their future adult life.

**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 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 and disability.

**An analysis of local challenges / sources of health inequalities. 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 before academy entry.

## 9 Funding

The academy 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.

Personal budgets are allocated from the local authority's high needs funding block and the academy will continue to make SEND provision from its own budgets, even if a pupil has an EHC plan.

## 10 Local offer

The academy will cooperate generally with the local authority and local partners in the development and review of the local offer.

## 11 Identification

**To identify pupils with SEND, the academy will:**

- Assess each pupil's current skills and levels of attainment on entry.
- Make regular assessments of all pupils to ensure that the intervention is effective.
- Ensures that the child's progress is similar to that of their peers starting from the same baseline.

- Matches or betters the child's previous rate of progress. Closes the attainment gap between the child and their peers.
- Prevents the attainment gap growing wider.
- Provide extra support to pupils falling behind or making inadequate progress given their age and starting point.
- Assess whether a pupil has a significant learning difficulty, where pupils continue to make inadequate progress, despite high-quality teaching targeted at their areas of weakness.

## 12 Graduated approach

**The academy will, once a potential pupil with SEND has been identified, employ the graduated approach to meeting the pupil's needs, including:**

- 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 support of the SENDCO.
- Reviewing the effectiveness of the interventions and making any necessary revisions.

## 13 On Alert

**The interventions can be implemented through On Alert where a pupil:**

- Makes little or no progress when teaching approaches are targeted specifically at a child's identified areas of weakness.
- Shows signs of difficulty in developing literacy or mathematical skills which result in poor attainment in some curriculum areas.
- Presents persistent emotional or behavioural difficulties which are not ameliorated by the positive behaviour management techniques employed by the academy.
- Has Sensory or physical problems, and continues to make little or no progress despite the provision of specialist equipment.
- Has communication and / or interaction difficulties, and continues to make little or no progress, despite the provision of a differentiated curriculum.

## 14 SEND Support

**The relevant teacher or SENDCO, in consultation with parents, will talk with the parents about seeking advice from external support services, if a pupil:**

- Continues to make little or no progress in specific areas over a long period.
- Continues working at National Curriculum levels substantially below that expected of children of a similar age.
- Continues to have difficulty in developing literacy and mathematical skills.
- Has emotional or behavioural difficulties which substantially and regularly interfere with the child's own learning or that of the class group, despite having an individualised behaviour management programme.
- Has sensory or physical needs, and requires specialist equipment or regular advice or visits by a specialist service.

- Has an ongoing communication or interaction difficulty that impedes the development of social relationships and cause substantial barriers to learning.

### 15 Assessment

The academy will, in consultation with the pupil's parents, request a statutory assessment of SEND where the pupil's needs cannot be met through the resources normally available within the academy. The academy will meet its duty to respond to any request for information relating to a statutory assessment, to the local authority, within 6 weeks of receipt. If the decision is taken not to issue an EHC plan, the academy will consider and implement the recommendations of feedback from the local authority, regarding how the pupil's outcomes can be met through the academy's existing provision.

### 16 Education, Health and Care (EHC) plans

The academy will meet its duty to respond to the local authority within 15 days, if it is named on a pupil's EHC plan. The academy will admit any child that names the academy in an EHC plan. The academy will ensure that all those teaching or working with a child named in an EHC plan, are aware of the pupil's needs and that arrangements are in place in to meet them. The academy will request a re-assessment of an EHC plan at least 6 months following an initial assessment, if a pupil's need significantly change.

### 17 Reviewing an EHC plan

**The academy will:**

- Cooperate to ensure an annual review meeting takes place, including convening the meeting on behalf of the local authority if requested.
- Ensure that sufficient arrangements are put in place at the academy to host the annual review meeting.
- Seek advice and information about the pupil prior to the annual review meeting from all parties invited.
- SEND any advice and information gathered to all those invited at least two weeks prior to the annual review meeting.
- Cooperate with the local authority during annual reviews.
- Prepare and SEND a report of the meeting to everyone invited within 2 weeks of the meeting.
- Ensure that a review of a pupil's EHC plan is undertaken at least 7 months before transfer to another phase of education.

### 18 SEND and Disability Tribunal

The academy will meet any request to attend a SEND Tribunal and explain any departure from its duties and obligations under the SEND Code of Practice.

## 19 Data and record keeping

The academy will include details of SEND, outcomes, teaching strategies and the involvement of specialists, as part of its standard system to monitor the progress, behaviour and development of all pupils.

## 20 Confidentiality

**The academy will not disclose any EHC plan without the consent of the pupil's parents, with the exception of disclosure:**

- To the SEND and Disability Tribunal when parents appeal.
- The Secretary of State if a complaint is made 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 local authorities.
- To any person in connection with the pupil's application for disabled students allowance in advance of taking up a place in higher education. To the head teacher (or equivalent position) of the institution at which the pupil is intending to start higher education.

**Policy status and review**

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