Special Educational Needs and Disability Policy

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1 Policy Statement and Aims

1.1 The Heath Family Trust exists to empower children to overcome barriers, be able to compete with the best, and shape their future.

1.2 The Trust and each academy will use their best endeavours to secure the special educational provision called for by a pupil's special educational needs.

1.3 We have the same ambition for all of our children and are committed to:

1.3.1 Ensuring equality and fairness for all;

1.3.2 An inclusive, strengths-based approach, welcoming and valuing all with high expectations and ambition;

1.3.3 Person-centred practices, putting the child and their families at the heart of the process to meet needs;

1.3.4 Intervening early and working with other agencies to ensure children receive the best support;

1.3.5 Working across academies, multi-academy trusts, local authorities and other partners.

1.4 This policy aims to:

1.4.1 Ensure that the Trust and its academies comply with and implement the requirements of the Children and Families Act 2014, the Equality Act 2010 and the Special Educational Needs and Disability Regulations 2014, and have regard to the SEND Code of Practice: 0 to 25 years;

1.4.2 Outline the roles and responsibilities of those involved in providing for pupils with SEND in our schools;

1.4.3 Provide information about general SEND practice in the Trust; it is a collaborative policy, involving all schools in the Trust who communicate with each other and work together to achieve more than any one school could achieve on its own (please see individual schools' SEND Information Reports for more detailed information about provision in each school).

1.5 This policy operates in conjunction with the following Trust policies:

1.5.1 Complaints Policy

1.5.2 Admissions Policy

1.5.3 Equality Statement and Equality Objectives

1.5.4 Attendance Policy

1.5.5 Data Protection Policy

1.5.6 Safeguarding Policy

1.5.7 Supporting pupils at School with Medical Conditions Policy

1.6 This policy operates in conjunction with the following individual school policies:

1.6.1 Accessibility Plan

1.6.2 SEND Information Report

1.6.3 Equality Statement and Equality Objectives

2 Definition of SEND

2.1 This policy refers to children and young people who have or may have special educational needs and disabilities (SEND).

2.1.1 A child or young person has special educational needs if he or she has a learning difficulty or disability which calls for special educational provision to be made for him or her.

2.1.2 A child of compulsory school age or a young person has a learning difficulty or disability if he or she:

2.1.3 has a significantly greater difficulty in learning than the majority of others of the same age, or

2.1.4 has 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

2.1.5 "Special educational provision" means educational provision that is additional to, or different

from, that made generally for others of the same age.

Children and Families Act (2014: 20-21)

2.2 A person has a disability if:

2.2.1 they have a physical or mental impairment, and

2.2.2 the impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.

Equality Act (2010:6)

2.3 The Heath Family Trust considers the needs of pupils in four broad areas in line with the SEND Code of Practice (2015: 5.32):

2.3.1 Communication and interaction

2.3.2 Cognition and learning

2.3.3 Social, emotional and mental health difficulties

2.3.4 Sensory and/or physical needs

2.4 These four broad areas give an overview of the range of needs that should be planned for. The purpose of identification is to work out what action the school needs to take, not to fit a pupil into a category. The Heath Family Trust identifies the needs of pupils by considering the needs of the whole child which will include not just their SEND.

3 Legal Framework

3.1 This policy complies with the SEND Code of Practice 2015 and the following legislation:

3.1.1 Part 3 of the Children and Families Act 2014, which sets out schools' responsibilities for pupils with SEN and disabilities

3.1.2 The Special Educational Needs and Disability Regulations 2014, which sets out schools' responsibilities for education, health and care (EHC) plans, SEND co-ordinators (SENCOs) and the SEND information report

3.1.3 Equality Act 2010, which sets out that schools must not discriminate against, harass or victimise disabled pupils in relation to admissions, education, access to benefits, facilities or services, exclusions or other detriment. Schools will anticipate barriers and make reasonable adjustments, including the provision of auxiliary aids and services where reasonable.

4 Equality, accessibility and reasonable adjustments

4.1 SEN and disability are distinct legal concepts. A pupil may have SEN, be disabled, or meet both definitions.

4.2 Schools will anticipate barriers experienced by disabled pupils and make reasonable adjustments, including the provision of auxiliary aids and services where reasonable, to avoid substantial disadvantage.

4.3 Each school will prepare, publish, implement and review an Accessibility Plan addressing access to the curriculum, the physical environment and information provided to disabled pupils.

4.4 In exercising their functions, the Trust and its academies will have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not.

4.5 Academies will identify and make reasonable adjustments where required in relation to teaching, assessment, attendance, behaviour, suspension and permanent exclusion, educational visits and access to the wider life of the academy.

4.6 The reasonable adjustments duty is anticipatory: academies will consider barriers that disabled pupils may experience generally and will not wait until an individual pupil is placed at a substantial disadvantage before reviewing arrangements.

5 Roles and responsibilities

As the academy proprietor, the Trust Board retains legal accountability for ensuring that the Trust and its academies fulfil the duties placed on appropriate authorities by sections 66 to 69 of the Children and Families Act 2014.

5.1 The Trust Board will:

5.1.1 Retain legal accountability for ensuring that the Trust and its academies fulfil their statutory duties in relation to pupils with SEND;

5.1.2 Approve this policy and receive assurance about its implementation and impact across the Trust;

5.1.3 Ensure that each mainstream academy has a SENCO and that each academy prepares and publishes the prescribed SEN information;

5.1.4 Have regard to the requirements of the SEND Code of Practice 2015;

5.1.5 Maintain an understanding of the profile of pupils with SEND, including those with EHC plans, the provision required and the outcomes achieved;

5.1.6 Promote equality of opportunity for disabled children and young people;

5.1.7 Appoint a link trustee to lead the Board's monitoring of support for pupils with SEND.

5.2 The CEO will:

5.2.1 Ensure that this policy is implemented consistently across the Trust;

5.2.2 Hold executive and academy leaders to account for fulfilling statutory duties and Trust expectations for SEND;

5.2.3 Ensure that SEND provision is integral to Trust and academy strategic development.

5.3 The Trust SEND Lead will:

5.3.1 Work as part of the Trust's Education team to determine the strategic development of SEND policy and practice;

5.3.2 Promote inclusion and equality of opportunity for all;

5.3.3 Monitor the implementation of the policy to ensure that each school in the Trust consistently implements current statutory guidance, legislation, and The Heath Family procedures and practice;

5.3.4 Monitor the quality and effectiveness of SEND provision and share findings with Principals and the Trust's Education Team;

5.3.5 Work with Principals and SENCOs to determine the development of SEND provision in schools;

5.3.6 Share effective practice around SEND provision across schools;

5.3.7 Identify Trust-wide professional development priorities and coordinate appropriate training and support to strengthen staff knowledge and practice in relation to SEND;

5.3.8 Support the recruitment of SEND staffing in schools;
5.3.9 Analyse patterns and the distribution of SEND across the Trust to inform the professional learning offer.

5.4 School Principals will:

5.4.1 Hold ambitious expectations for all pupils with SEND;
5.4.2 Establish and sustain culture and practices that enable pupils with SEND to access the curriculum and learn effectively;
5.4.3 Ensure school staff work effectively in partnership with parents, carers and professionals, to identify the additional needs and SEND of pupils, providing support and adaptation where appropriate;
5.4.4 Ensure the school fulfils its statutory duties with regard to SEND legislation and ensure that all staff are aware of their responsibilities for SEND provision;
5.4.5 Appoint a SENCO who is a qualified teacher and ensure that they hold, or complete within three years of appointment, the mandatory National Professional Qualification for SENCOs, unless they hold a predecessor qualification recognised under the relevant regulations;
5.4.6 Ensure that the SENCO has sufficient time, administrative support, authority and resources to carry out the role effectively;
5.4.7 Regularly and carefully review the provision for pupils with SEND;
5.4.8 Ensure that procedures and policies for the day-to-day running of the school do not directly or indirectly discriminate against pupils with SEND;
5.4.9 Provide strategic leadership of SEND, ensuring the school's strategic plan is focused on the specific areas of improvement required to strengthen provision;
5.4.10 Ensure school is compliant with SEND policies, processes and strategies, and that schools operate within statutory guidelines;
5.4.11 Regularly undertake Quality Assurance activity to ensure all duties for pupils with SEND are fulfilled and quality of provision is high;
5.4.12 Work with the Trust SEND Lead to determine the strategic development of SEND provision in the school;
5.4.13 Ensure SEND funding and other resources are used to meet pupils' needs effectively;
5.4.14 Ensure that the academy makes the provision for which it is responsible under each pupil's EHC plan and promptly raises with the local authority any provision that is absent, unclear or cannot be secured.

5.5 School SENCOs will:

5.5.1 Work with the Principal and Trust SEND Lead to determine the strategic development of SEND provision;
5.5.2 Coordinate the academy's provision for pupils with SEN, support implementation of this policy and monitor its effectiveness;
5.5.3 Liaise with a range of external agencies who may offer advice and support to help pupils overcome difficulties;
5.5.4 Provide professional guidance and contribute to staff development so that staff build the knowledge and confidence required to meet pupils' needs;
5.5.5 Coordinate a timely, evidence-informed process for identifying and assessing pupils' needs, drawing on the views of pupils and families, teacher assessment, appropriate screening and assessment tools, and specialist advice where required;
5.5.6 Maintain and regularly review the school SEND Register and ensure parents are formally informed when a pupil is identified as having SEN and special educational provision is being made;
5.5.7 Follow the graduated approach (Assess, Plan, Do, Review) to SEND provision, as well as an approach that is person-centred (the views of pupils and their parents/carers are considered in the design and implementation of SEND provision and schools offer at least

three meetings per year to review progress);

5.5.8 Ensure that each pupil receiving SEN Support or with an Education, Health and Care Plan has clear, up-to-date documentation that identifies their strengths, needs, agreed outcomes, provision and effective classroom strategies to support high-quality adaptive teaching and targeted interventions;

5.5.9 Coordinate the preparation and publication of the school's SEN Information Report, ensuring that it contains the information prescribed by the SEND Regulations 2014, is reviewed at least annually and is updated as soon as practicable when information changes;

5.5.10 Coordinate the implementation and review of the provision for which the school is responsible under pupils' EHC plans, working with leaders, teachers, families, professionals and the relevant local authority;

5.5.11 Cooperate with the relevant local authority in reviews of EHC plans and, where requested, arrange and hold the review meeting. This will include obtaining and circulating advice and information at least two weeks before the meeting**,** supporting the pupil and their parent or carer to participate meaningfully, and preparing and circulating the review report and recommendations within two weeks of the meeting**;**

5.5.12 Track and monitor progress, attendance and behaviour of pupils with SEND to ensure provision in place is meeting their needs;

5.5.13 Coordinate the identification, evidence and application processes for access arrangements in accordance with the requirements applicable to the relevant statutory assessments and the current JCQ regulations;

5.5.14 Co-ordinate the deployment of SEND support staff.

5.6 Teachers will:

5.6.1 Implement the procedures for identifying, assessing and making provision for pupils with SEND;

5.6.2 Ensure that they have a clear understanding of the needs and SEN provision for pupils they teach;

5.6.3 Adapt teaching to plan and respond to the strengths and areas of need for each child;

5.6.4 Understand the factors that may cause barriers to learning and how to overcome these;

5.6.5 Be responsible and accountable for the progress and development of the pupils they teach, including where pupils access support from teaching assistants or specialist staff;

5.6.6 Work closely with the SENCO and support staff as appropriate to plan and assess the impact of support and interventions and how they can be linked to classroom teaching.

5.7 Support Staff (Teaching Assistants, Learning Mentors etc.) will:

5.7.1 Be fully aware of the SEND policy and the procedures for identifying, assessing and making provision for pupils with SEND;

5.7.2 Support the work of the SENCO to promote the inclusion of pupils with SEND;

5.7.3 Provide high quality support for pupils according to their specific needs.

6 Working with Pupils, Parents and Carers

6.1 Pupils will be involved in decisions about their support in a manner appropriate to their age, communication needs and understanding. Their views must be actively sought and must inform assessment, planning and review.

6.2 The Trust recognises the essential knowledge and expertise that parents and carers bring to understanding their child's strengths, needs and aspirations.

6.3 The Trust understands how important it is for all professionals to listen and understand when parents express concerns about their child's development.

6.4 In determining the support a child may require, academies will collaborate with parents to develop a good understanding of the pupil's areas of strength and difficulty and agree outcomes sought for the child and the next steps.

6.5 Academies will ordinarily seek informed parental consent before making an individual referral to an external professional, unless there is a lawful reason to share information or seek support without consent, including safeguarding considerations.

6.6 Where an academy identifies that a pupil has SEN, it will formally inform the pupil's parents or carers that special educational provision is being made. Parents and carers will be informed of the pupil's identified needs, agreed outcomes and provision.

6.7 Academies will provide opportunities for parents and carers to be aware of and contribute to the graduated approach (assess, plan, do, review) around this provision. This will include advice for parents and carers to reinforce or contribute to progress at home, where appropriate.

6.8 Significant discussions, decisions, agreed actions and formal communications concerning a pupil's SEN provision will be recorded appropriately on the academy's information systems.

6.9 For pupils receiving SEN Support, schools will meet parents at least three times each year to review progress, outcomes and provision. These discussions may form part of wider parent meetings, but should allow sufficient time to consider the pupil's needs and agreed support.

7 Identification of SEND

7.1 The Heath Family Trust recognises that early identification of and effective provision for SEND improves long-term outcomes for pupils. As part of the overall approach to monitoring the progress and development of all pupils, it has a clear approach to identifying and recording SEND.

7.2 Identification of SEN will not depend on a formal diagnosis. A pupil will be identified as having SEN where their learning difficulty or disability calls for special educational provision that is additional to or different from that made generally for pupils of the same age.

7.3 Slow progress or low attainment will not, by itself, automatically indicate SEN. Equally, attainment in line with chronological age will not rule out SEN.

7.4 When identifying and reviewing SEN, academies will consider the pupil's development in comparison with peers and national data, their response to high-quality adaptive teaching, information from parents and the pupil, and relevant professional advice.

7.5 Where there are concerns, academies will consider whether factors other than SEN may be affecting progress or participation, without allowing these factors to delay appropriate SEN provision.

7.6 Difficulties related solely to learning English as an additional language are not SEN. Academies will consider the pupil's language development and wider circumstances carefully while ensuring that appropriate assessment and provision are not delayed.

7.7 The Heath Family Trust has regard to all the requirements of the SEND Code of Practice 2015 and follows an 'Assess – Plan – Do – Review' cycle known as the graduated approach. Please see each school's SEND Information Report for detail of how this approach is used to meet the needs of pupils.

8 Allocation of Resources

8.1 Schools will deploy their delegated resources, including their notional SEN budget, to meet pupils' special educational needs effectively.

8.2 The notional SEN budget is an identified amount within an academy's general annual grant. It is not a separate or ring-fenced budget and does not represent an individual entitlement for each pupil with SEN.

8.3 Mainstream schools are expected to meet the costs of special educational provision for pupils receiving SEN Support and to contribute towards the additional costs of provision for pupils with high needs, up to the nationally prescribed high-needs cost threshold, currently £6,000 per pupil per year. This threshold relates to additional provision above the cost of basic provision ordinarily available to all pupils.

8.4 Where the cost of provision exceeds the applicable threshold, additional top-up funding may be provided by the commissioning local authority in accordance with its funding arrangements.

8.5 Decisions about identification and provision will be based on need and statutory duties, not solely on the availability or level of additional funding.

8.6 Funding arrangements do not limit the Trust's statutory duties, including its duty to use best endeavours and its duties under the Equality Act 2010.

9 Admission Arrangements for Pupils with SEND

9.1 Please see each school's general admission arrangements for information. Pupils with SEN who do not have an EHC plan are considered for admission under the same published admission arrangements as other applicants.

9.2 Where an academy is named in a pupil's final EHC plan, the Trust, as academy proprietor, must admit the pupil.

9.3 An academy will not refuse admission to a pupil who has SEN but does not have an EHC plan because it considers that it may be unable to meet the pupil's needs, or solely because the pupil does not have an EHC plan.

9.4 The Trust and its academies will not unlawfully discriminate against applicants because of SEN or disability.

10 Monitoring, Evaluating and Review of Policy

10.1 The Trust Board retains overall legal accountability for this policy and receives assurance about its implementation and effectiveness. The CEO is responsible for ensuring implementation across the Trust. The Principal of each academy holds day-to-day operational responsibility, supported by the SENCO and Trust SEND Lead. The local governing body monitors local implementation in accordance with the Trust's scheme of delegation.

10.2 The local governing body and senior leadership team at each academy monitor the fair and effective application of this policy. All members of staff are responsible for fulfilling the duties relevant to their role and supporting its successful implementation.

10.3 The policy is reviewed on an annual basis by the Trust SEND Lead in conjunction with the Board of Trustees; any changes made to this policy will be communicated to all members of staff, parents of pupils with SEND, and relevant stakeholders.

11 Complaints

11.1 The Trust aims to resolve concerns promptly through open communication between the academy and family.

11.2 Concerns about a pupil's SEN provision should normally first be raised with the class or subject teacher and/or SENCO, depending on the nature of the concern.

11.3 Complaints concerning the academy's actions or the provision it delivers will be considered under the Trust Complaints Policy.

11.4 Disagreements concerning local-authority decisions about EHC needs assessments or EHC plans should be raised with the relevant local authority and may carry mediation and appeal rights to the First-tier Tribunal.

11.5 Claims of disability discrimination against an academy may be brought to the First-tier Tribunal in accordance with the Equality Act 2010.

11.6 The academy will provide families with information about the relevant route of redress and local SEND information, advice and support service where appropriate.

Document History

Version	Date	Author	Note of Revisions