



## Special Educational Needs and Disabilities Policy

<b>Approved by:</b>	Board of Directors	<b>Date:</b> 23/03/2022
<b>Last reviewed:</b>	N/A	
<b>Next review due by:</b>	31/03/2023	

**Contents:**

Statement of intent

1. Aims of this policy
2. Legal framework
3. Definitions
4. Areas of special educational need
5. Admissions
6. Roles and responsibilities
7. Involving pupils and parents in decision making
8. Joint commissioning, planning and delivery
9. Funding
10. The local offer
11. Identification
12. Graduated approach
13. Levels of Need
14. SEND and disability tribunals
15. Data and record keeping
16. Confidentiality

## **Statement of intent**

This policy outlines the framework for The Rainbow Multi Academy Trust (MAT) 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 MAT values each child's individual 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 continuous progress from their starting point. We will endeavour 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 SEND pupils and their parents/carers. Whilst always regarding their views, wishes and feelings and ensuring their participation in the decision making process.

### **1. Aims of this policy:**

- To ensure that responsibility for provision for pupils with SEND remains a fundamental part of the whole MAT provision
- To ensure that children 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 have a clear expectation that the majority of pupils with SEND will be taught in mainstream classrooms and that every teacher is a teacher of SEND
- To use appropriate assessment to set targets which are deliberately ambitious for pupils with SEND with potential areas of difficulty being identified and addressed at the start. Therefore, allowing the majority of pupils with SEND to study the full and national curriculum.
- 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' needs 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 between key stages.
- The staff, led by the SENDCO, will ensure that there are effective transition arrangements from EYFS to Key Stage 1, Key stage 1 to Key stage 2 and from Key stage 2 to 3. This will be facilitated through extra transition visits, sharing of information, policy, practice and Individual Education Plans (IEPs).

### **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 2015.
- Supporting Children with Medical Conditions.
- Keeping Children Safe in Education.
- Working Together to Safeguard Children.

### **3 Definitions**

The MAT uses the definition of SEND and disability as set out in the SEND Code of Practice 2015 and Equality Act 2010:

#### **SEND Code of Practice 2015**

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 him or her.

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

- has a significantly greater difficulty in learning than the majority of others of the same age, or
- 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 or mainstream post-16 institutions

#### **Equality Act 2010**

The Act defines disability as when a person has a 'physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day to day activities.'

**These definitions include:**

- 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 MAT 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 Rainbow Multi Academy Trust's 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.
- 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 Headteacher 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.
- Work with the SENCO and SEN governor to determine the strategic development of the SEN policy and provision within the academy.

- Have overall responsibility for the provision and progress of pupils with SEN and/or a disability.

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

- Be a qualified teacher.
- Attain the National Award in Special Educational Needs Coordination within three years of appointment.
- Work with the headteacher and SEN governor to determine the strategic development of the SEN policy and provision in the school.
- Work with the Headteacher to ensure that the academy meets its responsibilities under the Equality Act (2010) with regard to reasonable adjustments and access arrangements.
- Have day-to-day responsibility for the operation of this SEN policy and the coordination of specific provision made to support individual pupils with SEN, including those who have EHC plans.
- 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.
- Ensure the academy keeps the records of all pupils with SEN up to date
- 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. Alongside ensuring that the academy meets its responsibilities under the Equality Act 2010 with regard to reasonable adjustments and access arrangements
- Provide professional guidance to colleagues and work closely with staff members, parents, carers, and other agencies, including SEND charities, to ensure that pupils with SEN receive appropriate support and high-quality teaching.
- 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.
- Be responsible for the progress and development of every pupil in their class
- Work with the SENCO to review each pupil's progress and development and decide on any changes to provision.
- Work closely with any teaching assistants or specialist staff to plan and assess the impact of support and interventions and how they can be linked to classroom teaching.
- Ensure they follow this SEND policy.

**The SEN governor must:**

- Help to raise awareness of SEN issues at governing board meetings.
- Monitor the quality and effectiveness of SEN and disability provision within the academy and update the governing board on this.
- Work with the headteacher and SENCO to determine the strategic development of the SEN policy and provision in the academy.

**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 years.
- 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.

Our local authority's local offer is published here:

<https://www.supportincornwall.org.uk/kb5/cornwall/directory/localoffer.page?newlocalofferchannel=0>

## **11 Identification**

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

- Assess each pupil's current skills and levels of attainment on entry in order to ensure that they build on the patterns of learning and experience already established during the child's previous school years.
- Provide starting points for the development of an appropriate curriculum.
- 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.
- Ensure ongoing observation and assessments provide regular feedback about the child's achievements and experiences to form the basis for planning the next steps of the child's learning.

The identification and assessment of the special educational needs of children whose first language is not English requires particular care. Where there is uncertainty about a particular child, a teacher will look carefully at all aspects of the child's performance in different subjects to establish whether the problems are due to limitations in their command of English or arises from special educational needs.

## **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:**

- Ensuring all teachers are responsible and accountable for the progress and development of pupils in their class including where pupils access support from specialist staff and teaching assistants.
- High quality teaching, differentiated for individual pupils, is the first step in responding to pupils who have SEND.
- 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.
- Reviewing and, where necessary, improving teachers' understanding of strategies to identify and support vulnerable pupils and their knowledge of the SEND most frequently encountered.

## **13 Levels of Need**

The Rainbow Multi Academy Trust's Graduated Response consists of three levels as follows:

### **Initial Concern (On Alert)**

This refers to pupils who may, for some reason, have fallen behind and require some additional input to catch-up. A pupil in this category may have one of more of the following indicators :

- Be at risk of not meeting their targets
- Currently working at a standard below National expectations and their targets will not bring them above this level

- New entrants to the school whose needs are still being assessed
- Currently have barriers to their learning e.g.: -
  - Their behaviour is disruptive
  - There are attendance/lateness issues
  - Concerns over their mental health
  - The family is currently experiencing challenges
  - They have EAL (English as an Additional Language)

All class teachers are required to keep a list of pupils who they are monitoring at Initial Concern level and to identify and implement strategies to address their needs to enable them to catch-up. This will involve conversations between the class teacher, SENCO and parents which will include problem-solving, planning support and strategies for the individual pupils. The Academy ensures that everything is done at an early a stage as possible to avoid the need for SEN Support. However, if after a period of time, an individual does not catch-up, it is at this point that consideration will be given as to whether they need SEN support.

### **SEN Support**

Pupils are placed on the RON at this level after assessment and consultation between the SENCO and Class Teacher when it is established that they have a significant learning difficulty and need provision that is additional and different.

At this point, parents/carers will be informed of the decision and the School will continue to work in partnership with them, listening their views and those of the pupil, and involving them proactively in planning and decision making. This will take the form of a half-termly 'Assess- Plan-Do -Review Cycle.'

#### **Assess**

- Teacher's high quality, accurate formative assessment and experience of child
- Pupil progress, attainment and behaviour
- Development & attainment in comparison to peers
- Views and experiences of parents
- The child's own views
- If relevant, assessments, views of and advice from external services.

#### **Plan**

A plan will be drawn up by SENCO & class teacher in consultation with parents and child. It will include:

- The outcomes agreed for the next half term
- The support and interventions to be put in place
- The expected impact on progress, development or behaviour
- A clear date for review
- The plan will be recorded on the pupil's Individual Provision Map.
- A copy will be given to the parents.

## **Do**

- The class teacher remains responsible for working with the child on a daily basis and works closely with TAs or specialist staff to plan and assess the impact of the interventions.
- The SENCO supports the class teacher in the further assessment of the child's particular strengths and weaknesses, in problem-solving and advising on the effective implementation of support.

## **Review**

- Parents will be invited to attend review meetings with the Class Teacher/ SENCo at least termly and their child in order to monitor/ review the effectiveness of the support and the impact on the child's progress.
- A new the plan will then be drawn up and added to the ongoing Individual Provision Map.
- Parents will be given copies of all notes recorded at the review.

## **Involving Specialists**

If a child continues to make little or no progress over a sustained period or where they continue to work at levels substantially below age expected despite SEN Support, the school will involve specialists including those from outside agencies. The views of parents/carers and the child are considered at all levels of intervention.

## **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.

## **Education, Health and Care Plan**

Pupils who need more specialist provision and whose needs cannot be wholly met at SEN Support level will be the subject of Statutory Assessment. This is completed by the SENCO who obtains the views and information about the child from all other professionals involved in their education, health and/or care. Parents/Carers views and those of the child are obtained and will be considered in order for a recommendation for an EHCP to be made to the Local Authority. The LA then consider the application and issue an EHCP as appropriate.

There is a statutory requirement to review an EHCP annually. This review meeting is held at the school with parent, child and all professionals involved invited to attend.

In addition, pupils with an EHCP are subject to the Assess-Plan-Do-Review Cycle.

## **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.

### **14 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.

### **15 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.

### **16 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.