

# Aspire Academy Trust



## Aspire Special Educational Needs and Disability (SEND) Policy

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Approved by: Aspire Board of Trustees

Policy Owner: Inclusion Lead

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This policy was written alongside consulting the following roles in the Trust:

- Director of Inclusion
- Lead Inclusion Team Members

### Revision Log (last 5 changes)

Date	Version No	Brief detail of change
16.09.20	2	Scheduled review
9.06.22	3	Scheduled review and updates: Section 1 Aims – includes EYFS, Section 4 Areas of Need, Section 5 Admissions – note regarding EYFS, Section 6 roles and responsibilities – updated, section 11 identification updated, sections 12-14 updated,
26.5.23	4	Scheduled review – no updates

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### Statement of intent

This policy outlines the framework for Aspire 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 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.

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

- To ensure that responsibility for provision for pupils with SEND remains an integral part of the whole academy provision – this includes provision in our EYFS settings.
- 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:

- SEND Code of Practice 0-25.
- 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:

- 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 Jan 2015**

'A pupil has SEN if they have a learning difficulty or disability that calls for special educational provision to be made for them.

They have a learning difficulty or disability if they have:

- A significantly greater difficulty in learning than the majority of the others of the same age, or
- A disability which prevents or hinders them from making use of facilities of a kind generally provided for others of the same age in mainstream schools
- Special educational provision is educational or training provision that is additional to, or different from, that made generally for other children or young people of the same age by mainstream schools'

## **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**

Each school currently provides additional and/or different provision for a range of needs, including:

- Communication and interaction, for example, autistic spectrum disorder, asperger's syndrome, speech and language difficulties
- Cognition and learning, for example, dyslexia, dyspraxia moderate/severe/profound and multiple learning difficulties.
- Social, emotional and mental health difficulties, for example, attention deficit hyperactivity disorder (ADHD)
- Sensory and/or physical needs, for example, visual impairments, hearing impairments, processing difficulties, epilepsy

## **5. Admissions**

Each academy will ensure they meet their duties under the DfE's School Admissions Code by:

- Adhering to admission arrangements for a child that has named the academy in their EHC plan in accordance with the admissions authority
- Adopting fair practices and arrangements in accordance with the DfE's School Admission Code for the admission of children without an EHC plan in liaison with the Local Authority and arrangements under Fair Access.
- 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.

Nursery admissions do not fall under the Schools Admissions Code however Aspire will also apply the same considerations for nursery places as per Aspire Nursery Admissions Policy.

## **6. Roles and responsibilities**

The Trust Board are required to:

- Appoint a SEND Trustee with oversight of SEN provision across the Trust who will monitor the quality and effectiveness of SEN and disability provision and update the Trust Board on this
- Ensure the relevant policies have been approved and monitor their effectiveness
- Ensure that adequate resources are allocated to provision of pupils with SEND
- Work with the Inclusion Senior Leads and Trust Senior Leadership to determine the strategic development of the SEN policy and provision across the Trust
- Ensure suitability qualified staff are appointed to work effectively

The Head of School has a responsibility to:

- lead and line manage the SENDCo and SEND Teaching Assistants to ensure that the needs of children are met through a well-organised and deployed team across the school
- Liaise with the SENDCo to improve student academic outcomes, often indirectly, by way of secure knowledge of the students and their needs; effective communication of those needs and relevant training to support and underpin inclusive practice so those needs are met within the classroom in all areas of the curriculum and across all phases including EYFS.
- Work collaboratively with the SENDCo to monitor and assess robustly pupil's progress using a range of data.
- Ensure that the SENDCo has sufficient time and resources to carry out their duties.
- 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.
- Evaluates the use of the SEND budget with the SENDCo and uses resources effectively, often through a provision map

The SEND Coordinator (SENDCo) must:

- Be a qualified teacher
- Attain the National Award in Special Educational Needs Coordination or equivalent, recognised qualification 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 and across all phases including EYFS
- Have day-to-day responsibility for the operation of this SEN policy and the co-ordination of specific provision made to support individual pupils with SEN, including those who have EHC plans
- Provide professional guidance to colleagues and work with staff, parents, and other agencies to ensure that pupils with SEN receive appropriate support and high-quality teaching
- Advise on the graduated approach to providing SEN support
- Advise on the deployment of the school's delegated budget and other resources to meet pupils' needs effectively
- Be the point of contact for external agencies, especially the local authority (LA) and its support services
- Liaise with potential next providers of education to ensure that the school meets its responsibilities under the Equality Act 2010 with regard to reasonable adjustments and access arrangements
- Ensure the school keeps the records of all pupils with SEN up to date

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.
- Ensure Quality First Teaching and Learning leads to provide specific advice, guidance and support to improve inclusive planning in the delivery of the curriculum and inclusive classroom practice
- Set high expectations for every pupil whatever their prior attainment. Ensure effective scaffolding is in place
- 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
- Implement recommendations from specialists and IEPs

Teachers are responsible and accountable for the progress and development of all the pupils in their class. High-quality teaching is our first step in responding to pupils who have SEN. This will be adapted for individual pupils. Each school's provision is listed on their SEN Information Report

## **7. Involving pupils and parents and carers in decision making**

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

- Focus on the child or young person as an individual
- 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

Working with other agencies

- Referrals to specialists such as Educational Psychologist will be discussed and agreed by parents and carers before a referral is made. Academies will follow the protocol as set out by the Lead Inclusion Team to ensure all onward referrals are timely and appropriate
- Academies will follow the Aspire Safeguarding policy at all times

## **8. Joint commissioning, planning, and delivery**

The academy 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 to primary education, primary to secondary, and secondary to further education (FE).
- 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 Authority 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

We will assess each pupil's current skills and levels of attainment on entry, which will build on previous settings and Key Stages, where appropriate. Class teachers will make regular assessments of progress for all pupils and identify those whose progress:

- Is significantly slower than that of their peers starting from the same baseline
- Fails to match or better the child's previous rate of progress
- Fails to close the attainment gap between the child and their peers
- Widens the attainment gap

This may include progress in areas other than attainment, for example, social and emotional needs. Motional assessment will be used rigorously across our schools to monitor SEMH.

Slow progress and low attainment will not automatically mean a pupil is recorded as having SEN.

When deciding whether special educational provision is required, we will start with the desired outcomes, including the expected progress and attainment, and the views and the wishes of the pupil and their parents. We will use this to determine the support that is needed and whether we can provide it by adapting our core offer, or whether something different or additional is needed.

## 12. Graduated approach Assess, Plan, Do, Review

The academy will, once a potential SEND has been identified, employ the graduated approach (as per flow chart) to meeting the pupil's needs, including:

- Establishing a clear **assessment** of the pupil's needs. This will include the use of Motional SEMH assessments in all settings.
- **Planning**, with the pupil's parents or carers, 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.
- **Ensure** pupils' IEP reflects this.

### **13. On Alert –non statutory**

A pupil can be tracked and supported 'on alert' for a definitive period of time (usually a term) after which a decision to escalate to SEN Support will be taken with parents and carers should there be no or little progress following this period of intervention and targeted support. Should progress be made then the child will be removed from 'on alert'.

### **14. SEND Support**

In consultation with and agreement of parents the SENDCo will place a child on the SEN Register/Record of Need when the child:

- Continues to make little or no progress in specific areas over a sustained period of time and requires targeted support, additional to universal support. This may include referrals to external professionals/specialists
- 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. EHCP Assessment**

The academy will, in consultation with the pupil's parents or carers, request a statutory assessment of SEND where the pupil's needs cannot be met through the SEND resources 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. Admissions - 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 unless it feels there are elements of the plan it cannot meet fully or comprehensively or are subject to The School Admissions Code. 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 three 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.
- Maintain an accurate and up-to-date register of the provision made for pupils with SEND.
- Maintain all expectation in terms of statutory requirements.
- Complete an SEND Information Report annually and publish in line statutory requirements accordingly.
- Record details or additional or different SEND provision on a provision map.

## **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 appeals and to 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 any relevant allowances.
- To the principal (or equivalent position) of the institution at which the pupil is intending to start a new phase of education in a new setting.