



**DRAFT**

# **Cluster Special Educational Needs and Disability Policy**



**Reviewed: Spring 2016**  
**Next review: Spring 2017**

## **INTRODUCTION**

### **Rationale**

The Framingham Earl Cluster of schools is committed to providing a full and effective education to all pupils and embraces the concept of equal opportunities for all. We have developed this as a Cluster Policy in order to give a consistent response to all pupils and families in our care.

### **Context**

The aims of our cluster collaboration are as follows:

- A collaborative focus on raising standards
- Developing and providing local solutions to local issues
- Grow consistency of approach through agreeing cluster policies
- Provide financial support for high need SEND pupils within the Cluster.
- Provide school improvement support
- Provide services to support SEND pupils.
- The development of a wider entitlement of experiences for all our pupils
- The opportunity to create more efficient and effective support services
- The opportunity to develop effective transition from pre-school to post 16
- The opportunity to develop more cross-phase projects / programmes

The SEND Policy must respond to legal requirements identified in the Special Educational Needs and Disability Act 2001 with regard to assessment and provision.

The policy is also responsive to the new Ofsted framework and the coalition Government's proposals for change to education. This includes a sharpened focus on the needs, aspirations and engagement of children and young people with learning difficulties and/or disabilities, and their families.

There is an emphasis across the public sector upon more collaborative and partnership working between local authorities and the Primary Care Trust (PCT), through the development of joint commissioning, Child and Adolescent Mental Health Services (CAMHS) and the transition into adulthood.

The focus of this policy is upon the progress children and young people make throughout their school life and through transition into adulthood and it promotes their well-being, learning and achievement.

### **Special Educational Needs (SEN) 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.
- For children aged two or more, 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, maintained nursery schools, mainstream post-16 institutions or by relevant early years providers.
- For a child under two years of age, special educational provision means educational provision of any kind.
- A child under compulsory school age has special educational needs if he or she is likely to fall within the definition above when they reach compulsory school age or would do so if special educational provision was not made for them (Section 20 Children and Families Act 2014).

### **Disabled Children and Young People**

Many children and young people who have SEN 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’. This definition provides a relatively low threshold and includes more children than many realise: ‘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 SEN, but there is a significant overlap between disabled children and young people and those with SEN. Where a disabled child or young person requires special educational provision they will also be covered by the SEN definition.

### **The Definition of Disability**

The Equality Act (2010) defines a disabled person as someone who has:

***“a physical or mental impairment, which has a substantial and long-term adverse effect on his ability to carry out normal day-to-day activities”.***

In the Act:

- ‘physical impairment’ includes sensory impairment”
- ‘mental impairment’ includes learning difficulties as well as an impairment resulting from or “consisting of a mental illness”.
- The definition can include a wide range of impairments, including hidden impairments such as Dyslexia, Autistic Spectrum Disorder (ASD), Speech, Language and Communication Needs (SLCN), and Attention Deficit Hyperactivity Disorder (ADHD).
- Having an impairment does not **of itself** mean that a pupil is disabled. It is the effect on the pupil’s ability to carry out normal day-to-day activities that has to be considered. The test of whether an impairment affects normal day-to-day activity is whether it affects one or more of the following:
  - Mobility
  - Manual dexterity
  - Physical coordination

- Continence
- Ability to lift, carry or move everyday objects
- Speech, hearing or eyesight
- Memory or ability to concentrate, learn or understand
- Perception of risk or physical danger

### **Discrimination Arising From Disability (Equality Act 2010)**

(1) A person (A) discriminates against a disabled person (B) if—

- A treats B unfavourably because of something arising in consequence of B's disability, and
- (b) A cannot show that the treatment is a proportionate means of achieving a legitimate aim.

(2) Subsection (1) does not apply if A shows that A did not know, and could not reasonably have been expected to know, that B had the disability.

The Equality Act also provides rights for people not to be directly discriminated against or harassed because they have an association with a disabled person. This can apply to a carer or parent of a disabled person. In addition, people must not be directly discriminated against or harassed because they are wrongly perceived to be disabled. More information about the Equality Act, and how you can obtain copies of the Act, can be found on the Government Equalities Office website: <http://homeoffice.gov.uk/equalities/>

### **Admission Arrangements**

No pupil will be refused admission to school on the basis of his or her special educational need. In line with the SEN and Disability Act we will not discriminate against disabled children and we will take all reasonable steps to provide effective educational provision.

### **Objectives**

***All recommendations are made in line with the SEN Code of Practice (2015) and The Equality Act (2010).***

- The quality of provision for children with special educational needs and/or disabilities is maintained and improved wherever it is delivered.
- Inclusion is developed further by recognising that Framingham Earl Cluster and supporting services collectively provide for the needs of all children in the community.
- Effective assessment systems are implemented as early as possible, in conjunction with other agencies. (See Appendix B)
- Partnerships with children, parents/carers and other stakeholders, work effectively. (See Appendix C for protocol)

## **Roles and Responsibilities**

### **The Cluster Governing Body**

The Cluster Governing Body, in co-operation with the Headteachers, determine the Framingham Earl Cluster's policy and approach to provision for children with SEND and oversee the spending.

Individual School's Governing Bodies must report to parents annually on the school's policy on SEND. The Governing Body will nominate one governor with responsibility for SEND. The SEND governor will liaise regularly with the SENDCo and report back to the full Governing Body.

**The decision making for distribution of funding is shared amongst all schools, although the Cluster Governing Body may take a decision to delegate this.**

This comprises Heads, SENDCos and members of Educational Psychology and Specialist Support (EPSS) and meets biannually. Another smaller group comprising of SENDCos and members of EPSS meet half termly as well. This process is outlined in the F7 Cluster Principals and Procedures High Needs SEN Funding document (Appendix A)

### **The Cluster SENDCo Host**

The Cluster will nominate a 'host' SENDCo, who will organise the agenda and chair cluster SENDCo meetings each half term to ensure the framework for cluster operation and systems to delegate SEND funding are maintained and ensure paperwork is distributed. For the academic year 2015/16 the Cluster has appointed a Cluster SENDCo to fulfil this role.

An annual process of provision mapping across the schools will be carried out to project the level of need, identify patterns of provision and act proactively in resource implications.

### **The Headteacher**

The Headteachers in the Cluster will form the decision-making group regarding funding and resourcing. The head teacher has responsibility for the day to day management of all aspects of the school's work, including provision for children with SEND. The head teacher should keep their school's governing body fully informed and also work closely with the SENDCo. The head teachers will support SENDCos to make recommendations and collate reports to submit with applications for cluster funding.

### **The SENDCO**

The SENDCos in collaboration with the head teacher and Governing Body play a key role in determining the strategic development of the SEND policy and provision in school, in order to raise the achievement of children with SEND. Key responsibilities delegated by the head teacher may include:

- Overseeing the day to day operation of the schools SEND policy
- Coordinating provision for children with Special Educational & Disability Needs
- Liaising with and advising other teachers
- Managing Teaching Assistants/ SEND team
- Overseeing the records of all children with SEND
- Liaising with parents of children with SEND
- Contributing to the in-service training of staff
- Liaising with external agencies including the LEA's support and educational psychology services, health and social services, and voluntary bodies.
- Working with the cluster SENDCOs to support all learners within our community of schools

### **The Teaching Staff**

Teachers are responsible for adapting the curriculum and planning appropriate work to meet the needs of pupils with SEND in accordance with Teacher Standards 2015, with particular attention to section 5 and for maintaining records of strategies used and their impact. Teachers are aware of the procedures for identifying, assessing and making provision for pupils with SEND, and are actively involved in the review process.

### **Support Staff**

The teaching assistants, learning support assistants and other support roles work with the SENDCO and class teachers to provide support for children with Special Educational & Disability Needs across the school, maintaining records of the children they work with, and attending reviews and meetings as requested.

## **The Role of Parents of Pupils with SEND**

“Section 19 of the Children and Families Act 2014 makes clear that local authorities, in carrying out their functions under the Act in relation to disabled children and young people and those with special educational needs (SEN), **must** have regard to:

- the views, wishes and feelings of the child or young person, and the child's parents
- the importance of the child or young person, and the child's parents, participating as fully as possible in decisions, and being provided with the information and support necessary to enable participation in those decisions
- the need to support the child or young person, and the child's parents, in order to facilitate the development of the child or young person and to help them achieve the best possible educational and other outcomes, preparing them effectively for adulthood  
(*SEN Code of Practice 2015*)

The Cluster provides user-friendly information and strives to ensure that parents understand the procedures and are aware of how to access advice and support through each school's publication of an annual SEND report on the school website that links to the Norfolk Local offer..

Parents are invited to positively contribute to the setting of learning targets for pupils with SEND to the target-setting process for Individual Education Plans (IEPs) or other forms of recording progress and their views are sought for reviews. We encourage active participation of parents by providing guidance on how they can support their child's learning at home.

## **Pupil Participation**

Pupils will be encouraged to participate where appropriate in the decision-making processes including the setting of learning targets.

Children have a right to receive and impart information, to express an opinion and to have that opinion taken into account in any matters affecting them from the early years. Their views should be given due weight according to their age, maturity and capability (Articles 12 and 13 of the United Nations Convention on the Rights of the Child, SEND code of practice 2015).

## **Relationship with Outside Agencies**

*Involvement with Educational Support Services*

The Cluster will seek appropriate involvement from outside agencies as appropriate to the needs of the child.

## **Transfer to Another School**

Whenever any pupil transfers to another school, including special schools, the home school will pass on all relevant information. In addition, for pupils with SEND, there will also be dialogue between the class teacher and/or SENDCo and /or head teacher and a senior member of the other school's staff.

## **Identification and Assessment**

We accept the principle that pupil's needs should be identified and met as early as possible. (See Appendix C)

## **Intervention to support children with additional needs**

The Cluster has adopted levels of intervention, based on the Code of Practice (See Appendix D).

## **Monitoring and evaluating the success of the policy**

The policy will be monitored and evaluated annually by the SENDCos, governors, teachers and headteachers from each school.

Policy to be read in conjunction with:

### **Key Principles for Cluster SEND**

**Under the arrangements for cluster funding, mainstream children can have access to resources according to their level of need whether they have the ‘protection’ of a statement or not. The new arrangements aim to provide a more transparent system that promotes a collaborative style of working. As these children progress and others enter the school system, we have an opportunity to move away from the traditional approach of classifying pupils by the resources they carry around with them. We will look at the process by which they learn and the ways schools intervene to help and encourage them alongside their classmates.**

- SENCOs/HTs will collaborate through the SENCO Network group to improve provision for SEN learners.
- Agreed members are available for SEN application meeting decision making and all make a contribution to attending application meetings.
- Visitors to application meeting are welcome.
- A fair system is in place for the allocation of cluster SEN funding and cluster criteria is followed
- Short-term provision will be for learners who need support to get them to the next stage of their learning.
- Context will be taken into consideration
- Continual Professional Development for all staff will be high on the clusters agenda, as this will support all learners further
- Uniformity in key assessments for reading, spelling and maths to provide continuity and a clear understanding of learners ability
- A clear, transparent view of the schools SEND spending is available to the cluster
- Schools are able to demonstrate the level of support to parents through the SEN Information Report.
- Schools are accountable and will feedback to the Cluster SENDCo and cluster regarding the impact of any provision which has been funded by cluster.
- The Cluster SENDCo coordinates all cluster SEN and ensures all parties work to the agreed principles

### **Criteria for ‘top-up’ funding**

- 1) The learner has been identified as having a significant need and an IEP/ support plan has been in place for 1 term – *IEP / support plan attached to application for funding.*
- 2) Other forms of support have been tried (in the vast majority of cases) before requesting cluster top up funding.
- 3) The parents have been informed and the learners needs have been discussed with them.
- 4) The learners attendance, in most cases, is above 80% for the previous term (and if not a fast track application meeting being implemented) – *attendance sheet attached.*
- 5) The learner would work well with the type of support suggested – opinion of the learner has been sought.
- 6) Application for additional funding for intervention falls under one or more of the following categories: communication and interaction, cognition and learning, social, emotional and mental health difficulties, sensory and / physical needs.

- 7) All behaviour strategies have been exhausted this may include a referral to other appropriate services
- 8) Funding is for a maximum of three terms and should not extend beyond the end of the current financial year. (If funding needs to be continued due to ongoing need, an extension request form can be submitted)
- 9) Funding can only be requested for a pupil who is named in the school role. ( unless deemed to be exceptional circumstances by the SEND Application meeting )
- 10) Where a named learner has been granted funding, should the learner leave the school, remaining funding will be returned to the cluster.
- 11) Continued funding and funding extensions will only be granted upon receipt of a completed impact form which shows that the use of funding was successful.

### **Criteria for ‘top-up’ funding for a child with a statement or EHCP from another school/county**

It is agreed by the Cluster Headteachers that a learner with a statement or EHCP from another school/cluster will get funding if needed for 1 term assessment /to settle them into school and help them learn routines and boundaries.. After the initial term, the SENCO will need to complete support request forms to secure further funding, if the school doesn't have the capacity to support the learner's needs because of the severity of their difficulties.

### **Emergency funding for a child new to the school without a statement or EHCP**

#### **In Year admissions of pupils with High Needs SEN 2015/16, 2016/17**

In the event that an in year admission from out of cluster catchment is made to join a school after the March and July application meetings and a school can demonstrate through the Financial context form that the school's notional SEN budget has been used to support the needs of existing pupils on roll, the school may apply for funding for a that named high need pupil. The cost of support for the pupil will be allocated on a pro-rata basis from the Cluster contingency, the notional £6000 per annum can be waived. Where Cluster funds are not sufficient to cover the need the Cluster SENDCo will apply to Norfolk County Council's High Need SEN Capacity fund to provide funding for that child. For such applications a "F7 Cluster High Need SEN support request form" must be submitted and the Cluster SENDCo, a SENDCo (not from the applying school) and a Headteacher and governor observer will agree or decline the request. Where the application is made by the Cluster SENDCo's school a second SENDCo will be invited. This discussion may happen by email.

### **Definition of Special Educational Needs**

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 young person has a learning difficulty or disability if he or she:

- a) Has a significantly greater difficulty learning than the majority of others of the same age; or
- b) 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.

*See Special Educational Needs and Disability Code of Practice 0-25 years, DfE 2014.*

Ref: DFE-00205-2013

## **Cluster Expectation**

- All cluster schools will follow the agreed cluster protocol for SEN.
- At the beginning of each new financial year, each cluster school will complete a financial context form. This will be kept confidentially and not shared, however information will be collated to create an overview of need within the Cluster.
- There is an expectation within the cluster that all schools will maintain a form of SEN register / list.
- Schools may also choose to maintain a provision map.
- Children aged two or more, with SEN should have a support plan. The plan should show how provision made for the child has been additional to or different from that made generally for other children or young people of the same age by mainstream schools, mainstream nursery schools.
- The plan should also show the impact of and evaluate the provision.

The Teachers' Standards can be found on the GOV.UK website:

<https://www.gov.uk/government/publications/teachers-standards>

We adopt the following procedures for identification and assessment:

- the analysis of data including initial assessment in the Early Years, Foundation
- Stage Profile, entry profiles, end of key stage SATs, reading ages, Optional SATs
- assessments in key stage 2, Cognitive ability tests, Boxall Profile, observation.
- The pupil in context profile
- Teacher concerns
- Following up parental concerns
- Pupil referrals
- Tracking individual pupil progress over time
- Liaison with feeder schools on transfer
- Information from previous schools
- Information from other services.

### Assessment strategies that are to be used within our cluster schools

Assessment Package	Assessment Focus	Age Range	Resource Location
Single Word Spelling Test	Spelling	Yr. 2 – Yr. 9	All Schools
Salford Single Word Reading Test	Reading	Yr. 7 – Yr. 9	Framingham Earl
Salford Sentence Reading Test	Reading and Comprehension		Cluster Library
Catchup Reading	Reading and Comprehension	Yr. 2 – Yr. 9	All Schools
Sound Discovery	Phonics	Yr. 2 – yr. 6	All Primary Schools
Norfolk Number Fixer	Basic Number knowledge	Yr. R – Yr. 6	All Primary Schools

<p><b>Pupils with low level special educational needs or with low levels of attainment</b></p>
<p><i>Provision made in class</i></p> <ul style="list-style-type: none"> <li>- Attaining below nationally expected levels for age.</li> <li>- Unable to maintain concentration / focus for periods appropriate to age</li> <li>- Difficulties with independence, organisation and following instruction</li> <li>- Displays some disruptive / inappropriate behaviour that requires management</li> <li>- Some difficulties with friendships/relationships</li> <li>- Some delay in fine and/or gross motor skills</li> <li>- Some communication and/or language difficulties although is understood by known people</li> <li>- Requires some support / supervision for care / mobility / medical needs through a health / care plan</li> <li>- Requires some small group work to ensure progress</li> </ul>
<p><b>Pupils with moderate level special educational needs</b></p>
<p><i>Needs met by school with support addition to or different from the main in class provision up to a cost of £6,000 per year</i></p> <ul style="list-style-type: none"> <li>- Known to one or more services / agencies</li> <li>- Attaining below nationally expected levels for age for a prolonged period (2 terms) despite Wave 1 intervention</li> <li>- Require some adult support / 1:1 work / specialist equipment to facilitate access to the curriculum</li> <li>- Delay in fine and/or gross motor skills requiring specialist equipment</li> <li>- Experience social difficulty that requires support</li> <li>- Some communication and/or language difficulties hinders access although can make needs known</li> <li>- Reduced participation in and contribution to learning activities</li> <li>- Evidence of stress and/or anxiety responses to identified situations</li> <li>- Displays behaviour that frequently disrupts own or peers' learning opportunities</li> <li>- Requires intervention for care / self help / mobility / medical needs through health / care plan</li> <li>- Sensory needs generate a requirement to modify information and materials</li> </ul>
<p><b>Pupils with high level special educational needs</b></p>
<p><i>Possible application for funding from cluster for provision costing over £6,000</i></p> <ul style="list-style-type: none"> <li>- Known to a number of services / agencies with high level of involvement from at least one</li> <li>- Attaining well below nationally expected levels for age (<i>reaching P5-8 by end of KS2 or L2 by end of KS4</i>)</li> <li>- Very slow progress resulting in a widening gap between their own and age appropriate attainment despite support</li> <li>- Delayed fine and/or gross motor skills require adult support</li> <li>- Significant difficulties with organisation and/or communication inhibit access to classroom activities</li> <li>- Require a highly adapted or personalised curriculum, able to participate in limited classroom activities</li> <li>- Experiences extreme social difficulties and frequent social isolation despite support</li> <li>- Reduced attendance and/or engagement</li> <li>- Display behaviour that persistently disrupts attendance, own or peers' learning opportunities, progress and/or</li> <li>- repeatedly causes harm or damage</li> <li>- Extreme stress and/or anxiety responses generated by identified situations</li> <li>- Requires extensive intervention to develop age appropriate self help /daily living / personal care skills</li> </ul>

## PUPILS WITH A SIGNIFICANTLY HIGHER LEVEL OF SPECIAL EDUCATIONAL NEED

*Possible request for statutory assessment (Single assessment of Education, Health and Care from 2014)*

- High levels of involvement from a number of services
- Achieving significantly below nationally expected levels for age ( $\leq 2^{\text{nd}}$  percentile)
- Unable to access classroom activities or formal learning situations despite significant support
- Show minimal progress or even regression despite high levels of support
- Socially isolated, vulnerable and/or disengaged
- Motor skills require high levels of adult support and specialist equipment to access the curriculum
- Wholly dependent upon adult support for care needs
- Display extremely inappropriate behaviour that consistently disrupts own or peers' learning opportunities
- Behaviour causes damage to property and / or danger of harm to him/herself and / or others
- Disengaged from learning with imminent risk of exclusion