Special Educational Needs and Disability (SEND) Policy

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1.0 Principles

1.1 The Trust is committed to providing an inclusive learning environment, promoting high aspirations and expectations for all students. We recognise that every student is an individual who has a variety of educational and personal needs, which may change as the student develops.

1.2 We aim to support every student, allowing them the opportunity to achieve their potential by identifying need, providing appropriate support, and removing barriers to learning.

1.3 We aim to encourage all students to become confident, resilient individuals who can make a successful transition into adulthood and progress to positive and meaningful destinations, including employment, further or higher education or training.

2.0 Legislative Framework

2.1. The Trust aims to comply with the *Equality Act* and the *Special Educational Needs and Disability (SEND) Code of Practice: 0-25 Years,* relating to the appropriate sections of the *Children and Families Act*. The definitions of what constitutes a Disability and a Special Educational Need are set out in this document. We also aim to comply with the statutory guidance for *Supporting Pupils at School with Medical Conditions*. This policy will take into account the following legislation and statutory guidance:

- SEND Code of Practice
- The Special Educational Needs and Disability Regulations
- The SEN (Personal Budgets) Regulations
- Children's and Families Act
- Inclusive Schooling
- Education Act
- The Equality Act
- School Discipline (Pupils Exclusions and Reviews) (England) Regulation
- School Admissions Code
- Supporting Pupils in Schools with Medical Conditions
- Mental Capacity Act Code of Practice

2.2 The Trust ensures our safeguarding responsibilities in accordance with:

- Working Together to Safeguard Children
- Keeping Children Safe in Education

3.0 Policy Statement

3.1 The Trust will ensure that:

- All staff take responsibility for the identification and inclusion of students with SEND as an integral part of raising standards.
- Through its best endeavours, the special education provision requirements meet the needs of prospective and existing students.
- Robust systems are in place and reviewed to ensure young people with SEND do not feel directly or indirectly discriminated against, harassed or victimised.
- All students are identified and supported through co-operation and partnership with parents/carers and outside agencies in line with the guidance in the *SEND Code of Practice: 0-25 years*.
- All students, parents/carers will be fully included in the educational and social life of the college, and students will be involved in the development of their own learning.
- All students will be supported so that they can make academic progress and reach positive destinations in adult life.

3.2 This policy sets out the principles of supporting students with SEND. For more detailed information, access the document S*upporting you with a Difficulty or Disability* and the relevant sections on the Trust/College websites.

4.0 Definition of SEN and Disability

4.1 Definition of disability under the Equality Act 2010 and definition of SEN under The SEND Code of Practice:

A student is disabled under the Equality Act if they have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on their ability to do normal daily activities. 'Substantial' is defined as more than minor or trivial e.g. it takes much longer than it usually would to complete a daily task like getting dressed. 'Long-term' means 12 months or more e.g. a breathing condition that develops as a result of a lung infection.

Students have special education needs if they have a learning difficulty or disability which calls for special educational provision to be made for them. In addition, a student has a learning difficulty or disability if they:
- have a significantly greater difficulty in learning than the majority of others of the same age; or
- have 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 or mainstream post-16 institutions.

The SEND Code of Practice explains how the definition of disability and SEN work together:

'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.'

4.2 A student does not have a learning difficulty or disability solely because the language (or form of language) in which they will be taught is different from a language (or form of language) which is or has been spoken at home.

4.3 A person has a disability and/or medical need if they have:
Any physical or mental impairment and the impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. This includes sensory impairment such as those affecting sight or hearing, and long term medical conditions such as asthma, diabetes, epilepsy and cancer (Equality Act).

4.4 A student who has a medical condition will have an individual healthcare plan, which will specify the level of support required to meet their medical needs. This student may not necessarily have SEND but there may be some overlap of provision. Where this student also has SEND, support for their needs will be co-ordinated and planned alongside their healthcare plan. (The Children's and Families Act, Supporting Pupils at School with Medical Conditions DfE).

5.0 **Roles and Responsibilities**

5.1 **The Local Advisory Group will:**

- Ensure the implementation and monitoring of SEND policy, including the funding of SEND provision, and that SEND is central to the Self-Assessment Report (SAR) and Quality Improvement Plan (QuIP).
- Allocate a Local Advisory Group member as a dedicated SEND link between the Special Educational Needs and Disability Co-ordinator (SENDCo) and the Local Advisory Group.
- Publish the Trust's arrangements for the admission of SEND students, the steps taken to prevent SEND students from being treated less favourably than those who are not, and details of the facilities provided to enable access to college.
- Participate in appropriate training.
- Monitor and review the progress of SEND students.

5.2   The Principal will:

- Be responsible for the overall management of the Policy and provision for SEND students and ensure that those strategies include working with parents/carers and external agencies to encourage involvement in the students education and learning needs.
- Monitor and review progress of SEND students.
- Monitor and review the attendance and retention rate of SEND students.
- Act as an advocate for SEND students.
- Ensure the curriculum meets the needs of SEND students.
- Provide performance management for all staff members and regularly review student progress as part of an overall Trust approach to assessment.
- Consult with the Local Authority and other relevant parties where it is appropriate to deliver a co-ordinated approach to SEND provision.
- Participate in appropriate training.

5.3   The Trust SEND Manager will:

- Monitor and review the progress of SEND students across the Trust.
- Monitor and review the attendance and retention rate of SEND students across the Trust.
- Monitor and review the interventions across the Trust
- Liaise with SENDCos within other colleges to ensure a consistent learning experience for SEND students across the Trust
- Liaise with relevant external agencies and authorities to maximise the opportunities for support for students with SEND.

5.4   The Special Educational Needs and Disability Co-ordinator (SENDCo) will:

- Ensure the needs of students with SEND, including medical students, are identified at transition.
- Ensure SEND students are appropriately supported through reasonable adjustments according to need.
- Ensure resources are allocated through the use of available funding to meet the needs of SEND students.
- Liaise with pastoral staff and with the Designated Safeguarding Lead for Looked After Children when providing SEND provision for vulnerable students.
- Inform colleagues about updated information with regards to SEND students.
- Liaise with and share information with parents/carers and external agencies regarding SEND students as specified in the SEND Code of Practice.
- Ensure staff have access to relevant information about medical conditions affecting students through Trust systems.
- Ensure that all arrangements for medical students are in place, including the managing of medicines.
- Ensure students with Risk Assessments, Health Care Plans and Personal Emergency Evacuation Plans are identified and the Trust Health and Safety Manager is informed.

- Ensure sufficient staff are suitably trained to meet the needs of all SEND students. Where relevant the SENDCo will liaise with healthcare professionals about the type and level of training required.
- Have strategic overview of the SEND Study Support Tutors and co-ordinate non-teaching staff to deliver intervention and work towards targets.
- The SENDCo monitors the performance of all students with learning difficulties or disabilities within the college.
- Co-ordinate and plan for transition and the transfer of SEND information to ensure that students are supported at every stage of their education and are prepared for adulthood.
- Provide professional guidance and continuous professional development for colleagues.
- Ensure that progress is monitored and the support reviewed.
- Liaise with the Exams Officer (EO) to record all exam access arrangements and to process online all non-centre delegated arrangements.
- Oversee the collection of evidence and documentation to support the exam access arrangements process.
- Quality assure the SEND provision through visiting lessons, speaking with students, ensuring concerns are logged correctly and checking the progress made from specific interventions.

5.5 SEND Senior Link will:

- Ensure that students with Social, Emotional and Mental Health needs (SEMH) are identified.
- Ensure that sufficient staff are suitably trained to meet the needs of SEMH students, in collaboration with the SENDCo and healthcare professionals.
- Ensure that relevant information about SEMH affecting students is published through Trust systems.
- Ensure arrangements for SEMH students are put in place, including the managing of medicines for SEMH students on the college premises.
- To liaise with the SENDCo to review and monitor the progress of SEND students.

5.6   The Health and Safety Manager will:

- Ensure reasonable adjustments are made to the college site for SEND students.
- Be responsible for the Trust's First Aid Policy.
- Maintain building assets and carry out routine checks for supporting SEND students.
- Provide E-VAC chairs and training for Fire Exit of SEND students from any of the Trust's buildings, where a risk assessment and Emergency Evacuation Plan has been put into place.
- Ensure Fire Marshalls and teaching staff are trained in Personal Emergency Evacuation Plans and use of E-VAC chairs, to ensure SEND students are supervised out of Trust buildings in times of fire, flood, extreme weather conditions and loss of electricity or in case of emergency.
- Ensure trip organisers assess risks and are well informed about arrangements for SEND students.

- Ensure appropriate insurance is in place that covers staff providing support to SEND students.

5.7   The Teacher will:

- Undertake pre-learning liaison with the Study Support Tutors for SEND students.
- Enable students to use their granted exam access arrangements as their normal way of working and during all assessments.
- Work with Study Support Tutors and/or SENDCo to identify where a student may be having difficulty which may be due to SEND.
- Ensure the inclusion of SEND students within the classroom through differentiation and carry out planning, manage support and provide resources to enable them to access a broad and balanced curriculum. Where appropriate, Study Support Tutors will work closely with teaching staff to ensure the support students receive removes barriers to learning and allows them to progress.
- Will adapt teaching and learning approaches within the classroom to accommodate the needs of students and remove barriers to learning.
- Will liaise with the Teaching for Learning Lead to improve the learning experience for students with SEND
- Monitor and review progress.
- Contribute to the review process for students who have a Termly Support Plan.
- Where underperformance is identified, put in place interventions to ensure clear and supportive targets are set and to ensure communication with next of kin.
- Provide evidence and/or work samples to demonstrate to JCQ the need for a student's exam access arrangement.

5.8 The Progress Tutors will:

- Ensure all students receive pastoral support including reporting of safeguarding issues and issues relating to student mental health via the Safeguarding Team. Further information available in the Safeguarding Policy and Procedures.
- Ensure that students with any temporary disability or new diagnosis mid-term are referred to the SENDCo who will update records, file any evidence provided, assess what arrangements need to be put in place such as an Emergency Evacuation Plan, Health Care Plan, Risk Assessment or Exam Access Arrangements. The SENDCo will ensure all medical arrangements and risk assessments are put in place in a timely manner.
- Monitor progress to identify students with difficulties.
- Work collaboratively with Study Support and SENDCo to support students identified as having a learning difficulty or disability.

5.9 Students, Parents/Carers will:

- Ensure that medical conditions are declared to the college during the application process including individual needs.
- Discuss their needs at enrolment, allowing for arrangements to be put in place prior to starting college.

- Be encouraged to participate in the student's educational progress and discussions regarding provision of support.
- Be involved in decision making, the planning of support and review of provision.
- Be made aware of the Local Authority Offer and will be signposted to support available from universal services and targeted and specialist services for SEND students.
- Be central to decision-making about their needs, so that they are empowered to express wishes and viewpoints about their own future.
- Be encouraged to provide feedback through Learner Voice.
- Provide evidence of medical conditions and/or exam access arrangements.
- Provide evidence of conditions that are identified mid-year.

6.0 Admission Arrangements

6.1   We aim to ensure equal opportunities for students with SEND. Further information can be found in the Trust Admissions Policy.

7.0 Identification and Assessment of Students' Needs

7.1   The Trust has a responsibility for the identification and assessment of students' needs in line with the guidance outlined in the SEND Code of Practice. The identification of SEND students will ordinarily be during the interview process when students are expected to meet with Study Support to disclose information recorded on medical forms. Completed medical forms are returned and Student Services will ensure that the SENDCo has copies of all medical forms to ensure appropriate support is put in place. The SENDCo will establish links with all feeder schools and ensure transition is fully supported.

8.0 Allocation of Resources for Students with SEND

8.1   Resources will be allocated through the use of available funding to meet the needs' of students. Please refer to the SENDCo for further information.

9.0 Students with an Education, Health and Care Plan (EHCP) and/or medical needs

The Trust will work closely with students, families and professionals to meet the needs of students with an EHCP and/or medical needs. Where a student has an EHCP or a Healthcare Plan (HCP), the Trust will use support strategies and implement interventions to support the student to achieve their outcomes.

If a student requires medication within college, the Trust will provide an appropriate locked space for the medication to be stored safely. The Trust will assist a student to access their medication as part of a pre-agreed plan but generally will not administer the medication. This means that the Trust will hand over the medication to the student to be self-administered, and the Trust will not measure dosages or monitor the intake of medication. Due to the urgent nature of some conditions such as epilepsy and diabetes, medication to treat these conditions would be administered by Trust first aid staff. However, this would

be part of a pre-agreed emergency response plan. The storage of medication includes emergency packs which would be handed to paramedics in the event of an emergency.

10.0 Links with External Services

- In cases where specialist assessment or provision is required externally, the Trust will endeavour to signpost students and parents/carers where appropriate.
- The Trust will endeavour to actively engage with services and agencies, based both inside and outside of the Trust, to ensure effective and appropriate support for SEND students.
- The Trust recognises its reciprocal duty to co-operate with the Local Authority on arrangements for young people with SEND, and is actively involved with the Local Authority to help shape post-16 SEND provision.
- The Trust will work with a range of external agencies to help meet the needs of the students, including:
  Child and Adolescent Mental Health Service (CAMHS)
  Targeted Mental Health in Schools (TAMHS) and local cluster services (counselling, therapeutic services, CAMHS in Schools, health and wellbeing worker, parental support advisor)
  Early Help Assessment Team
  Complex Needs Team/Educational Psychology Team
  Educational Service for Physical Disability
  Hearing Impaired Service
  Multi-systemic Therapy Team (MST)
  Occupational Therapy Service
  Children's and Adult Physiotherapy Service
  School Nursing Team
  SENSAP
  Sensory Service Visual Impairment Team
  Children's Social Work Services
  Speech, Language and Communication Therapy Service
  Gypsy Roma Traveller Education Team
  Paediatrician/Optician

11.0 Exam Access Arrangements

11.1   When applying for Exam Access Arrangements we are obliged to work within the framework laid out by the Joint Council for Qualifications (JCQ).

11.2   Where a student is referred to the SENDCo for Access Arrangement assessment, we complete an assessment for exam access arrangements if appropriate. We will report the results of the assessment to the student and also whether the assessment indicates the student has standardised scores below the level set by JCQ. This will not guarantee Access Arrangements as the formal assessment results will then need to be checked against the JCQ regulations to see if Access Arrangements can be applied.

11.3 All assessments MUST be post Year 9 to qualify. **PLEASE NOTE: Privately commissioned assessment reports cannot be accepted by the College as they will not be based on evidence of need from the teachers who know the student's work.** Should you choose to provide the college with a privately commissioned report from an educational psychologist or specialist teacher assessor you need to be aware of the following:

Before a private assessment is undertaken, the educational psychologist or specialist teacher assessor <u>must</u> contact the SENDCo and ask for evidence of a student's normal way of working and relevant background information.

This must take place before the candidate is assessed as stipulated in JCQ Regulations.

11.4 **Evidence needed to apply for Access Arrangements:**

- There are a number of pieces of evidence that can be used to apply for EAA to Joint Council for Qualifications (JCQ):
- Completed Form 8 report from Specialist Teacher or Specialist Teaching Assistant that is signed with the assessor's certificate.
- Previous Access Arrangement evidence from Schools/ other Education Providers
- Subject teachers – examples of work as appropriate as normal way of working
- Subject teachers evidence of need for an assessment and access arrangement
- Results of baseline tests e.g. reading/comprehension age, writing tests
- Educational Health Care Plans
- Long term medical condition/disability with supporting consultant's letter

In all cases the Trust's decision is final.

Below you will find an outline of evidence needed for the most common request of Extra Time

As extra time is the Access Arrangement requested most often we will look at some of the associated regulations here. JCQ lay down similar guidance for each of the other possible arrangements.

12.0 <u>Extra time</u>

12.1 The college has to present a 'compelling' case that the student's learning difficulty has 'a substantial and adverse effect' on the student's performance in exams. This will generally require statements from subject staff that a student is consistently underperforming in classroom tests, as well as evidence in the form of results from standardised testing and incomplete mock examinations or similar.

12.2   The student must also have made use of extra time over a substantial period of time in both classroom tests and mock examinations before the arrangement can be used in external examinations. This is referred to as the 'normal way of working'.

12.3   JCQ set specific guidelines regarding the standard scores that enable a student to be eligible for Access Arrangements; these are not set by the Study Support Department. A student may find, for example, completing tests in a fixed time period difficult but without the appropriate evidence from a formal assessment with standardised scores or a diagnosed medical condition that is verified via a consultant's letter or an Educational Health Care Plan the student may not be eligible for extra time or Access Arrangements.

13.0 <u>Extra time on medical grounds</u>

13.1   In order for a student to be granted extra time on medical grounds, the Trust has to be able to:

- *Show that a student has **an impairment** which has **a substantial and long term adverse effect on his/her speed of processing***
- *Confirm that he or she has **persistent and significant difficulties when accessing and processing information***
- *Show evidence of how the disability/difficulty has impacted on teaching and learning in the classroom*
- *Show the involvement of teaching staff in determining the need for 25% extra time*
- *Confirm that without the application of 25% extra time the candidate would be at **a substantial disadvantage***
- *Confirm that 25% extra time is the candidate's normal way of working within the centre **as a direct consequence of their disability**.*

13.2 In addition to the above, the college requires up to date medical evidence:

- *A letter from a Health Professional involved in the student's care **(please note a letter from a GP is not admissible. It needs to be from a psychologist, consultant or specialist)***
- *A Statement of Special Educational Needs / Education and Health Care Plan relating to the candidate's secondary education **which confirms the candidate's disability and level of need***

14.0 <u>Use of word processor (spell check and grammar check disabled) in exams</u>

14.1   Use of a word processor must reflect the candidate's normal way of working within the centre and be appropriate to the candidate's needs.

14.2   The Trust must be satisfied that the candidate has an impairment which has a substantial and long term adverse effect, giving rise to persistent and significant difficulties.

14.3 Candidates who may be considered to use a word processor are those with:

- A learning disability which has a substantial and long term adverse effect on their ability to write legibly
- A medical condition
- A physical disability
- A sensory impairment
- Planning and organisation problems when writing by hand
- Poor or illegible handwriting
- Slow handwriting – based on a standardised score of 84 or less on the Dash or Dash 17+ free writing test.

14.4   Use of a word processor will be granted by the SENDCo on a subject by subject basis. Use of a word processor may not be required for every subject taken by the candidate.

14.5   If the candidate never uses the word processor, the SENDCo may consider withdrawing the exam arrangement.

15.0 Separate/Smaller Room Policy for Exams

15.1   Separate invigilation or access to a separate/smaller room is determined by the SENDCo, in conjunction with relevant teaching staff and exam office personnel. JCQ are clear in that the decision to offer separate invigilation to candidates is the responsibility of the SENDCo. Its decision based on whether the candidate has a substantial and long term impairment which has an adverse effect and the candidate's normal way of working within the centre. JCQ rules state: 'Candidates are only entitled to separate invigilation within the centre if they are disabled within the meaning of the Equality Act.' Normal way of working would include separate invigilation during mock examinations, internal school tests and/or high level GCSE controlled assessments. The college has to have evidence provided from the previous school to state that separate invigilation/room was the normal way of working for the student to be able to apply this as well as meeting the disabled definition of the Equality Act.

15.2 The following are two examples where students would be eligible for separate invigilation:

- A candidate with depression who has been under Child and Adolescent Mental Health Services (CAMHS).
- A candidate with an established and evidenced medical condition or formally recognised social, emotional and behavioural difficulties.

15.3   Where a student simply panics on the day of an examination or becomes anxious, then they should indeed be seated more appropriately within the main examination hall. Separate invigilation is no different to other access arrangements; such as prompters, supervised rest breaks etc. Progress tutors, teachers, Safeguarding and the SENDCo with pastoral responsibilities will know precisely those students with established and long term health conditions and whether separate invigilation is warranted. Working with the SENDCo and exams officer (EO), who may highlight issues such as room availability and

the need for additional invigilation, a centre-based decision is made on the need for separate invigilation.

15.4 Medical evidence must be provided in advance to support a separate room access arrangement and then be approved by the SENDCo

16.0 **Access to Information**

16.1 **The Trust will provide access to information and performance updates in a variety of ways:**
- College Newsletters
- Cedar
- Trust Websites
- Open Days
- Parent/Carer evenings/meetings
- Personal Progression Tutor meetings
- SEND review processes

16.2 **In order to make continuous improvements for students, the Trust will:**

- Produce all college literature in the correct size font and on the appropriate colour background to assist visually impaired students.
- Investigate alternative ways of providing access to information, software and activities.
- Investigate ways of communicating with SEND parents/carers and other adult users of the site.
- Make full use of external providers of support including those provides through the Local Authority for providing information in alternative formats (for example Braille or audiotape) if required.
- Seek to use text alerts and e-schools notifications to communicate with specific user groups.

17.0 Evaluation, Monitoring and Review of the SEND Policy

17.1 This policy will be reviewed every year with specific input being sought from:

- Student Executive
- Parents/Carers
- The SENDCo
- Trust Staff
- SEND Student

18.0 Raising of Concerns

18.1 Parents/carers can discuss SEND concerns with the student's Study Support Tutor, Progress Tutor, Subject Teacher and/or SENDCo.

For queries relating to SEND, please contact the SENDCo at the relevant site:

New College Pontefract: Sarah O'Neill.   Email: sarah.oneill@nclt.ac.uk
New College Doncaster: Laura Carlin.   Email: laura.woodward@nclt.ac.uk
New College Bradford: Helen Collins.   Email: helen.collins@nclt.ac.uk

Should a parents/carers concerns not be addressed, it may be escalated to a member of the senior leadership team for appropriate consideration.

Should concerns still not be resolved, parents/carers should refer to the Trust Complaints Policy, details of which are available on the Trust's website at www.nclt.ac.uk.

19.0 <u>Summary</u>

19.1 It is the Trust's aim to remove barriers to learning for all students in its care. Implementation of this policy will support the effective inclusion of students with SEND through raising achievement and enabling participation in the full life of the Trust and its colleges.

Policy Status

Policy Lead (Title)	Jo Holden, Assistant Principal	Review Period	Annually
Reviewed By	Trust Executive Team/ Board of Directors	Equality Impact Assessment Completed (Y/N)	Y

POLICY AMENDMENTS

Version	Approval Date	Page No./Paragraph No.	Amendment	Audience	How Communicated
1		Pg 2, para 2.1 and 2.2	Legislation dates removed	Staff	Email new policy
1		Pg 5, Para 5.1	Terminology changed	Staff	Email new policy
1		Pg 6, para 5.3	Medical procedure update	Staff	Email new policy
1		Pg 7, para 5.6	TSP information added	Staff	Email new policy
1		Pg 8, para 5.8	Mid-year diagnosis information added	Staff	Email new policy
2.		Pg 4, para 4.0	Detail added to Disability and SEN definition	Staff	Email new policy
2.		Pg 6, para 5.3	Role and responsibilities of Trust SEND Manager added	Staff	Email new policy
2.		Pg 7, para 5.4	QA process included to SENDCo role and responsibilities	Staff	Email new policy
2.		Pg 8, para 5.7	Teaching and learning information added to teacher role and responsibilities	Staff	Email new policy
2.	10.12.2020	Pg 9, para 9.0	Provision for EHCP and medical students	Staff	Email new policy