

# Special Education Needs and Disabilities (SEND) and Inclusion Policy

## **Purpose**

### **Policy Review**

The responsibility of reviewing and maintaining this policy is Craig Dembicki (Managing Director). This policy will be reviewed annually.

Start date of policy: **15<sup>th</sup> June 2009**

Last review date: **2nd August 2021**

Date of next review: **1st August 2022**

Signed

Date: 2nd August 2021



Craig Dembicki  
Managing Director  
Education 1st

Education 1<sup>st</sup> is an Alternative Learning Provider which aims to promote mutual respect and understanding and an effective education for all its students. We believe that all children and young people should be equally valued and therefore endeavour to promote equality of opportunity and outcomes, and to help develop a learning environment and personal development opportunities where all students can flourish and feel safe.

All students should have access to a broad, balanced and relevant curriculum, with teaching and learning strategies that maximise achievement and prevent failure by removing barriers to learning and providing access to a wide range of learning challenges.

This policy refers to students at Education 1<sup>st</sup> with special educational needs and disabilities (SEND) including why and how the company works with them. The guiding principle which informs this policy is ensuring that students with SEND are given equal opportunities with their peers to fulfil their academic and personal potential and are helped to feel worthy and important members of the wider community.

### **Definition of SEND**

*'A child or young person has SEND 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 chronological age, or*
- *Has a disability which prevents or hinders him or her from making use of educational facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions*

*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, and mainstream post-16 institutions or by relevant early years providers.'*

Special Educational Needs and Disability Code of Practice: 0-25 years (May 2015)

## **Disabled Students**

Many children and young people who have special educational needs 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*’.

There is a significant overlap between disabled young people and those with special educational needs. Where a child or young person requires special educational provision over and above the adjustments, aids and services required by the Equality Act 2010 they will be additionally covered by the SEND definition.

## **Scope of Policy**

This policy applies to all students with special educational needs and/ or disabilities (SEND), their parents/carers and all staff at Education 1<sup>st</sup>.

This policy should be read in conjunction with the following:

- Equality and Diversity Policy
- Child Protection and Safeguarding Policy
- Supporting Students with Medical Conditions Policy
- Attitude to Learning (Behaviour) Policy
- Looked After Children Policy

## **Key Requirements/ Legal Duties**

This policy responds to the statutory requirements and recommendations of:

- The Children and Families Act 2014
- Special Educational Needs and Disability Code of Practice: 0-25 years (May 2015)
- The Special Educational Needs and Disability Regulations 2014
- The Equality Act 2010
- The Special Educational Needs (Personal Budgets and Direct Payments) Regulations, Section 49
- The Order setting out transitional arrangements, Section 137
- Alternative Provision: Statutory Guidance for Local Authorities (January 2013)
- Ofsted School Inspection Handbook (August 2015)
- Independent Schools Inspectorate Integrated Handbook (September 2012)
- The National Curriculum in England Framework document (December 2014)

## Core Principles

- Education 1<sup>st</sup> fully endorses the *Special Educational Needs and Disability Code of Practice: 0-25 years (May 2015)* and *Alternative Provision: Statutory Guidance for Local Authorities (January 2013)* core principles:

*'All children and young people are entitled to an education that enables them to make progress so that they*

- *achieve their best*
- *become confident individuals living fulfilling lives, and*
- *make a successful transition into adulthood, whether into employment, further or higher education or training'*

Good alternative provision is that which *appropriately meets the needs of students who require its use and enables them to achieve good educational attainment on par with their mainstream peers. All students must receive a good education, regardless of their circumstances or the settings in which they find themselves. Provision will differ from pupil to pupil, but there are some common elements that alternative provision should aim to achieve, including:*

- *Good academic attainment on par with mainstream schools – particularly in English, Mathematics and Science (including IT) – with appropriate accreditation and qualifications;*
- *That the specific personal, social and academic needs of students are properly identified and met in order to help them to overcome any barriers to attainment;*
- *Improved student motivation and self-confidence, attendance and engagement with education; and*
- *Clearly defined objectives, including the next steps following the placement such as reintegration into mainstream education, further education, training or employment.*

*All students must receive full-time provision in total, whether in one setting or more, unless his or her medical condition makes full-time provision inappropriate. A personalised plan for intervention should be prepared by the commissioner setting clear objectives for improvement and attainment, timeframes, arrangements for assessment and monitoring progress, and a baseline of the current position against which to measure progress. Plans should also be linked to other relevant information or activities such as 'Education, Health and Care Plans' for students with SEN.'*

Education 1<sup>st</sup> is fully committed to the inclusion of students with special educational needs and disabilities - providing that the provision is compatible for the student's age, ability and aptitude, and that their attendance is not incompatible with the effective education and personal development of other students at Education 1<sup>st</sup>.

In keeping with the company's Equality and Diversity Policy, we affirm that

- All students are of equal value
- We recognise, respect and value difference and understand that diversity is a strength
- We foster positive attitudes and relationships
- We foster a shared sense of cohesion and belonging
- We have the highest expectations of all our students
- We work to raise standards for all students, including the most vulnerable
- We observe good equalities practice for our staff

We will ensure that every student with special educational needs and disabilities:

- Is fully included in all educational opportunities, regardless of their particular special educational needs or disability;
- Is a successful learner;
- Is supported to learn at a pace appropriate to their abilities and development;
- Has their strengths and capabilities recognised and valued and any additional needs supported, whether these are Communication and Interaction, Cognition and Learning, Sensory and/ or Physical, Social, Emotional and Mental Health Needs.

### **Objectives of the Policy**

- To identify and provide for students who have special educational needs and disabilities.
- To work within the guidance provided in the *Special Educational Needs and Disability Code of Practice: 0-25 years*.
- To operate a 'whole student, whole school' approach to the management and provision of support for special educational needs and disabilities.
- To ensure access to a broad and balanced personalised curricula and high levels of achievement for all students.
- To provide support and advice for all staff working with students who have special educational needs and disabilities.
- To develop and maintain partnership and high levels of engagement with commissioning schools, the local authority and parents/carers.
- To carefully map provision for all vulnerable learners to ensure that staffing deployment, resource allocation and choice of intervention is leading to good learning outcomes.

- To work in cooperative and productive partnership with the local authority, commissioning schools and external agencies, to ensure there is a multi-professional approach to meeting the needs of all vulnerable learners.

## **Partnership with Families**

Education 1<sup>st</sup> works in close partnership with parents/carers. This will enable all students with SEND to achieve good outcomes. The company recognises that parents and carers have a unique overview of their child or young person's needs and how best to support them, and that this gives them a key role in the partnership process.

We maintain high aspirations for all our students, including those with SEND. In keeping with the principles of Person Centred Planning (a process for continual listening and learning, focusing on what is important to someone now and in the future, and acting upon this in alliance with their family and friends) students with SEND are integral to the decision-making processes affecting them.

Education 1<sup>st</sup> recognises that young people are entitled to the same quality and level of information, advice and support as their parents/carers.

Students' views, opinions, aspirations, wishes and feelings are always considered. We aim to provide as much information and support as necessary to help our students to achieve the best possible outcomes, preparing them effectively for adulthood.

Preparations for adulthood are developed in the following areas:

- Support to prepare for future education or employment
- Support to prepare for independent living
- Support for maintaining good health in adult life
- Support in participating in society

## **Identifying and Assessing Pupils with SEN**

Education 1<sup>st</sup> has a clear approach to identifying and responding to SEND. All teachers at the provision are responsible for identifying students with SEND and, in collaboration with the staff from commissioning bodies, will ensure that those students requiring different or additional support are identified at an early stage.

- On entry to the provision a **Student One-Page Profile** is completed with parents/carers and commissioning body staff and every student's attainment is assessed in order to ensure continuity of learning and personal development. This may flag up students who require additional interventions and/or further assessment

– including rare occasions where commissioning schools have not identified specific needs.

We have detailed exchanges with commissioning bodies and the local authority Alternative Learning Provision Team. Information gained from the **Student Referral Form** and **Service Level Agreement** (completed with parents/carers and the commissioning body) is used to shape the student's curriculum and pastoral provision in the first few weeks.

- This ensures that students have opportunities to demonstrate knowledge and understanding before long term decisions are made about their personalised provision.

### **Assessing Students with SEND**

Education 1<sup>st</sup> regularly gathers information from within the Education Centres', external provision and commissioning bodies about every student's progress, alongside national data and expectations of progress. Academic data is updated on a termly basis and shared with students and parents/carers. Progress is the crucial factor in determining the need for additional support. Less than expected progress might:

- be significantly slower than that of their peers starting from the same baseline
- fail to match or better the student's previous rate of progress
- fail to close the attainment gap between the student and his or her peers
- widen the attainment gap

Students may also be identified via student progress meetings with parents/carers, external partners and commissioning schools where attendance and Snap-B SEMH/ behaviour data are also considered.

### **Additional Support to Students with SEND following Assessment**

The SEND Code of Practice 0-25 2015 does not assume that there are hard and fast categories of SEN. It recognises that children and young people's needs and requirements fall into four broad areas:

- Communication and interaction
- Cognition and learning
- Social, emotional and mental health difficulties
- Sensory and/or physical needs

In line with the *Special Educational Needs and Disability Code of Practice: 0-25 years (May 2015)* Education 1<sup>st</sup> accepts that students often have needs that cut across a number of these areas and that their needs may change over time.

When a student fails to make expected levels of **academic progress**, the following procedures are employed by his or her teacher at the provision:

- In the first instance the Education 1<sup>st</sup> teacher adapts his or her teaching and learning opportunities using a range of strategies and different resources over a two-week period. He or she liaises with the SENCO and/ or class teacher at the commissioning body and parents/carers about what is being tried and why.
- If there is no evidence of further improvement after two weeks then the teacher liaises with the SENCO at the commissioning body again, plans to implement greater degrees of differentiation at a wave 2 level for a period of six weeks and in conjunction with commissioning body staff provides additional resources to support learning and development. The commissioning body SENCO has joint responsibility for meeting with the parent/carer to discuss initial concerns before wave 2 interventions commence.
- If the student still fails to make progress after six weeks' then the Education 1<sup>st</sup> teacher meets with commissioning body staff and the parent/carer to draw up/ agree on SMART learning and development outcomes for a **Personal Support Plan (PSP)**.
- The SENCO at the commissioning body, the Senior Leadership team and the teacher at Education 1<sup>st</sup> places the student on the **Inclusion Register** and **Inclusion Wave Provision Map** and the student is listed on the school census at the commissioning body as being in receipt of SEN Support.
- The teacher, and learning mentors at Education 1<sup>st</sup> and commissioning body staff work on the student's agreed learning and development outcomes on a daily basis and monitor this work on a **termly monitoring sheet (TMS)**. This information is shared between the two settings and with parents/carers. Students in receipt of a short term commission of one term or less have their progress monitored on a weekly **short term monitoring sheet (STMS)**.
- The teachers at Education 1<sup>st</sup> and the commissioning body then review the student's progress with the student, parent/carer and the commissioning body SENCO at the end of each term, before adjusting outcomes/ strategies/ resources using the scaffolded *Assess, Plan, Do and Review* graduated approach, where applicable.
- If further specialist advice is required, then the SENCO from the commissioning body and teachers meet with the parent/carer to recommend a referral to an external education, health or care agency.
- Once parent/carer permission has been granted, the SENCO and the teachers from the commissioning body and Education 1<sup>st</sup> complete the Single Point of Entry referral documentation together.
- The staff at Education 1<sup>st</sup> and the commissioning body will continue to meet with the student and parent/carer on a regular basis (at least termly) to keep all parties informed about progress.



When a student presents with **social, emotional or mental health needs** that cannot be managed through the general strategies detailed in the company's Attitude to Learning (Behaviour) Policy, the following procedures are employed by staff at Education 1<sup>st</sup>:

- The teacher and learning mentors have responsibility for ensuring that records of all negative behaviours at or outside the Education Centres' are kept up to date and shared with the commissioning body.
- After a period of 2 weeks, or a student's behaviour worsens then the teacher, learning mentors, Mentor Manager and a member of the Senior Leadership Team liaise with the commissioning body staff, review all behaviour data and meet with the parent/carer to discuss initial concerns, seek their opinion and discuss their experiences.
- Strategies are then adjusted for home, the alternative provision and the commissioning body and a **Behaviour Escalation Summary Chart (BESC) and Five Point Stress Scale** (where appropriate) is drawn up with the student, parent/carer and Education 1<sup>st</sup> staff. This information must be shared with all stakeholders who are involved with the student's learning and personal development.
- If the student's behaviour becomes increasingly violent/ physically aggressive or presents as a high risk to self and others, then a member of the Senior Leadership Team and Mentor Manager meet with the commissioning body SENCO, any relevant external agencies involved (including the Police, where applicable) and the parent/carer in order to agree on SMART SEMH outcomes for a **Personal Support Plan (PSP)** and **Positive Handling Plan (PHP)**. This will include the revision of personal risk assessments, aspects of de-escalation/ diversion strategies that are particularly effective for the individual, sanctions and rewards, changes to educational provision/ leisure times and Positive Handling strategies when deemed absolutely necessary or as a last resort. This information is shared between all stakeholders.
- **Parents/carers must be met with and spoken to about any incident involving their child/ young person being positively handled on the day an incident occurs.**
- All staff at Education 1<sup>st</sup> and the commissioning body reviews the student's progress at the end of each week with parents/carers before making minor adjustments, where applicable.
- If further specialist advice is required, then the SENCO from the commissioning body and both teachers meet with the parent/carer to recommend a referral to an outside agency. Once parent/carer permission has been granted, the SENCO and the teachers from the commissioning body and Education 1<sup>st</sup> complete the referral documentation together.
- The SENCO from the commissioning body and Education 1<sup>st</sup> staff will continue to meet with the parent/carer on a regular basis to keep all parties informed about progress.

We acknowledge that while considering the holistic needs of the student, some areas which are not SEND may still impact on progress and attainment:

- Attendance and punctuality

- Health and welfare
- English as an additional language
- Social and economic disadvantage
- The impact of multiple fixed term exclusions & resulting emotional barriers to learning
- Being a Looked After Child

**N.B 'Behaviour' is not a special educational need in itself. In keeping with the SEND Code of Practice 0-25, poor behaviour is viewed as a response to an underlying unmet need which Education 1<sup>st</sup>, in partnership with commissioning bodies and parents/carers will endeavour to identify.**

### **Arrangements for consulting young people with SEND:**

All Inclusion review meetings with commissioning bodies and parents/carers involve individual students and they have opportunities in which to share their views and opinions. All students contribute to Annual Reviews, Transfer Annual Reviews, Transition Plans, applications for Top-Up, applications for Statutory EHCP Assessment and referral documentation for outside agency observations and assessments.

## **1. The Graduated Approach to Meeting Special Educational Needs**

### **6.1 High quality teaching**

All teachers are responsible and accountable for the progress and development of the students in their class, including where students with SEND access additional support from teaching assistants or specialist staff. High quality teaching, differentiated for individual students, is the first step in responding to those who have or may have SEND. High quality-first teaching of all students, including those with special educational needs and disabilities, is a whole-provision responsibility.

**This requirement has been strengthened in the new SEND Code of Practice 0-25 and greater emphasis has also been placed on the achievement of students with SEND by Ofsted and the Independent Schools Inspectorate.**

We understand that additional intervention and support cannot compensate for a lack of good quality teaching at Education 1<sup>st</sup>. Students' needs should be identified and met as early as possible through:

- The analysis of data including entry profiles, standardized assessment results, reading & spelling ages and other student progress data
- Classroom/learning zone-based assessment and monitoring arrangements
- Listening to and following up parental/carers concerns
- Tracking individual student's progress over time using the academic and SEMH development learning ladders
- Liaison with and information from commissioning bodies, PRUs, LA on referral
- Joined up working with commissioning bodies and involving external agencies as appropriate

- Interventions include: individual support, individual withdrawal, further differentiation of resources, specialist teaching and mentoring

## 6.2 Increased levels of provision and support

In spite of high quality, differentiated teaching and support, it may become evident that some students require increased levels of provision and support. This information is detailed on Education 1<sup>st</sup>'s SEND & Inclusion Wave Provision Map.

### Waves of intervention:

#### Wave 1:

- Inclusive Quality First Teaching for all and setting suitable learning and personal development challenges and not just 'holding tasks' for less able students
- Responding to students' diverse needs - including social, emotional, cognitive, physical and sensory needs
- Overcoming potential barriers to learning – reflecting on teaching and learning styles, students' access to their personalised curricula and implementing successful pathways leading to desirable outcomes

#### Wave 2:

- Additional short term interventions (usually small group) to enable students to work at age related expectations or above
- Classroom/ learning zone based support staff/ TA/ learning mentor led 'catch up' programmes (under direction/supervision of the teacher)
- Additional use of ICT or the development of keyboard skills (touch typing)
- Personal reward/ motivation systems
- Learning mentor support for less/unstructured periods
- Access to practical/remedial multisensory learning resources

#### Wave 3:

- Additional longer term highly personalised interventions
- Alternative learning/ personalised provision
- Long term outcome setting on SEN Support Personal Support Plans
- Involvement of commissioning bodies' SENCOs and external/ multidisciplinary agencies

**Wave 2 and 3 interventions must be discussed with parents/carers and the student/s concerned prior to commencement. Regular feedback meetings are required in order that all stakeholders have a clear understanding of student progress as well as the effectiveness of the planned intervention/s.**

## 2. Review of Provision

The effectiveness of the support and interventions and their impact on students' progress are reviewed in line with DfE statutory assessment, reporting and recording arrangements. The views of a student and their parent/carer are integral to this process.

**The SENCO at the commissioning body maintains responsibility for providing a personalised progress report to parents/carers for all students in receipt of SEN Support at the end of the academic year, in line with statutory duties outlined in the SEND Code of Practice 0-25 years.**

## **7.1 Statutory Education, Health and Care Plans**

- For those students with the highest level of need who have not already been awarded a Statutory Statement of Special Educational Needs or Statutory Education, Health and Care Plan, it may be appropriate for the commissioning body SENCO to request a Statutory Education, Health and Care (EHC) Assessment.
- Prior to the application for Statutory Assessment being submitted to the SEN Panel, the commissioning body may request additional Top-Up funding from the local authority, if it is felt that the cost of the special educational provision required to meet the needs of an individual student exceeds the nationally prescribed threshold.
- Education 1<sup>st</sup> contributes to this process in the form of student and parent/carer contributions (wants, needs, likes, dislikes, summary of strengths and needs, future aspirations etc.), documentation such as PSPs, PHPs, BESC/SS, OPPs, PSP termly monitoring, standardised academic assessment results, behaviour data (through Snap-B profiling), monitoring in relation to weekly/ termly learning and SEMH development outcomes, personalised provision mapping, samples of work (where appropriate), parent/carer and professional meeting logs, personalised timetables and additional evidence to support the ways that funding and interventions are used to meet the Bristol Universal Descriptors (BUDS).
- It is vital that commissioning bodies, students and their parents/carers are strongly supported and active participants in this process. Education 1<sup>st</sup> has very high expectations of the detailed documented evidence that needs to be provided by all stakeholders to support the processes of successful application for Top-Up and Statutory Assessment.
- We work closely with commissioning bodies and the local authority to ensure that the student and his or her parents/carers are fully included in the Statutory EHC assessment process from the start, are fully aware of their opportunities to offer views and information, and are consulted about the content/ outcomes of the plan.

## **3. The Management of SEND and Inclusion at Education 1<sup>st</sup>**

The Education Lead and Education 1<sup>st</sup> Teachers have responsibility for the ongoing implementation of this SEND and Inclusion Policy. The Designated Teacher for Looked After Children also has strategic responsibility for the inclusion of students with SEND who are adopted or are in local authority care. All staff at Education 1<sup>st</sup> have responsibility for maximizing achievement and opportunity of vulnerable students in a positive and sensitive manner. The Education Lead is responsible for monitoring and evaluating the progress of all students and for making strategic decisions which will maximize their opportunity to learn. Discussions with students' parents/carers and commissioning bodies are fundamental to the implementation of this policy.

## **9.1 The Role of the Managing Director (MD)**

The MD will be responsible for ensuring the Operations Manager and staff at Education 1<sup>st</sup> have implemented and updated their SEND provision in accordance with the *Special Educational Needs and Disability Code of Practice: 0-25 years* annually.

#### **4. Complaints Procedure**

Education 1<sup>st</sup>'s complaints procedure is outlined on the company's website and is also available in hard copy on request from the Director of Education and Education 1<sup>st</sup> Administration Staff.

Education 1<sup>st</sup> pays due regard to the Government guidance from the *Special Educational Needs and Disability Code of Practice: 0-25 years (May 2015)* on resolving disagreements with parents/carers with regard to how the needs of students with SEND are met by the commissioning bodies and our own alternative provision.

#### **5. SEND Information Report and Local Offer**

Education 1<sup>st</sup> publishes information on the company's website about the implementation of the policy for students with SEND. This information will be updated annually and any changes to the data or procedural information occurring during the year will be updated as soon as possible.

The information includes:

- The kinds of special educational needs and disabilities that are provided for in line with the *Special Educational Needs and Disability Code of Practice: 0-25 years*.
- Policies for identifying students with SEND and assessing their needs, including the name and contact details of the named teacher with responsibility for Inclusion.
- Arrangements for consulting parents/carers of students with SEND and involving them in their child/ young person's education.
- Arrangements for consulting young people with SEND and involving them in their education.
- Arrangements for assessing and reviewing students' progress towards outcomes, including the opportunities available to work with commissioning bodies, parents/carers and young people as part of this assessment and review process.
- Arrangements for supporting students in moving between phases of education and in preparing for adulthood.
- The approach to teaching students with SEND.
- How adaptations are made to the curriculum and the learning environment of children and young people with SEND.
- The expertise and training of staff to support students with SEND, including how specialist expertise will be secured.
- Evaluating the effectiveness of the provision made for students with SEND.
- How students with SEND are enabled to engage in activities available with students in the provision who do not have SEND.

- Support for improving emotional and social development including extra pastoral support arrangements for listening to the views of students with SEND and measures to prevent bullying.
- How the company involves other bodies, including health and social care bodies, local authority support services and other voluntary sector organisations, in meeting the needs of students with SEND and supporting their families.
- The above information will include arrangements for supporting students who are 'looked after' by the local authority and have SEND.
- Information on Education 1<sup>st</sup>'s SEND and Inclusion Policy.
- Named contacts within the provision for situations where students or parents/carers have concerns.
- Arrangements for handling complaints from parents/ carers of students with SEND about the provision made by the company.
- Details of the alternative learning provision's contribution to the Local Offer, including information on where the local authority's Local Offer is published.
- Education 1<sup>st</sup>'s arrangements for the admission of disabled students.
- The steps being taken to prevent disabled students from being treated less favourably than others.
- The facilities provided to enable access to the provision for disabled children.
- The accessibility plan showing how the company plans to improve access progressively over time in response to identified needs.

Education 1<sup>st</sup>'s provision for students with SEND is detailed in the company's extensive Inclusion Wave Provision Map and on individual students' personal provision maps, produced in line with commissioning bodies.

These make explicit the expenditure for SEND wave provision between Elements 1-2 (The first £10,000) and Element 3 (Top Up).

## **6. Admission arrangements for students with SEND**

No student will be refused admission to the alternative learning provision at Education 1<sup>st</sup> on the basis of his or her special educational needs or disability. In line with the Equalities Act 2010 and our Equality and Diversity Policy, we will not discriminate against individual students or their families with regard to gender or gender reassignment, race, disability, age, sexual orientation, social status, religion or belief. Education 1<sup>st</sup> will take all reasonable steps to provide highly effective alternative educational provision for all students.