

Special Educational Needs and Disability Policy

0 - 25 Years
2012 - 2015



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and Disability Policy**

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Contents	Page
 Executive Summary.....	4
 Introduction, Vision and Aim	5
 The Pledge	6
 Principles	7
 Scope of the Policy	8
 Definitions.....	9
 Cheshire East Context.....	11
 National Context.....	14
 Local Authority Roles & Responsibilities.....	16
 Schools & Parents/Carers Roles & Responsibilities.....	23
 Resources	27
 Equality	30
 Glossary	31
 Appendix 1 - SEND Early Intervention.....	32



Executive Summary

Cheshire East Local Authority is pleased to present the Special Educational Needs and Disability Policy, which sets out the framework within which all children and young people with special educational needs and disability, regardless of ability, gender, language, ethnic or cultural origin, are valued.

The Special Educational Needs and Disability policy reaffirms our full commitment with its partners to continue supporting, maintaining and increasing diversity of high quality provision to meet the needs of children and young people with special educational needs and disability, building on our vision 'we work together with children, families and adults ensuring everyone thrives'.

This document sets out the pledge, principles and responsibilities for all those involved in supporting children and young people with special educational needs and disabilities.

We are confident that this Special Educational Needs and Disability Policy will assist us all in developing our work with children and young people with special educational needs and disability.

On behalf of Cheshire East Council, I would like to thank all those engaged in this work.

Most importantly, I would like to assure parents/carers and children and young people with special educational needs

and disabilities of our dedication in seeking to ensure opportunities of the very highest quality will be available to all children and young people with special needs and disabilities in Cheshire East.



Lorraine Butcher,
Strategic Director of Children, Families
and Adult Services



Introduction

No Child or Young Person is Left Behind

The Local Authority's Special Educational Needs and Disability Policy 2012-15 sets out the actions which will be taken by the Children and Families Service, and our partners, as it seeks to ensure that the needs of children and young people aged 0 to 25 with special educational needs and disabilities are met effectively, and that they have every opportunity to access high quality provision as close to their local community as possible.

The policy defines the roles and responsibilities of service providers and sets out the support that parents, children and young people can expect to receive, as the Local Authority endeavours to ensure that **NO CHILD OR YOUNG PERSON IS LEFT BEHIND** and that every child and young person achieves the best possible outcomes.

Vision

Cheshire East Council's vision for Special Educational Needs and Disabilities is:

- To work together to ensure all children have a fair start in life

The overarching vision for Children and Families is:

- For Cheshire East to be a place where all children and young people are supported well to maximise their life choices
- To provide responsive, locally based services which make sense to children, young people and their families, that addresses their needs early
- To be a place where no child or young person is left behind because organisations do not work together



Pledge

Children and Families Services pledges to ensure that:

- The needs of children and young people with special educational needs and disability will be identified early, and matched effectively to appropriate provision
- Each child and young person's special educational needs and disability will be identified, recorded and their progress regularly reviewed in a manner consistent with the Code of Practice on SEN 2001
- Formal assessments of a child's and/or young person's special educational needs and disability will be undertaken by the Local Authority, and all agencies involved will endeavour to do their best to complete within the recommended statutory timescale
- Parents/carers will be treated with respect and their knowledge will be valued and used to inform the provision put in place for children and young people
- Children and young people will be listened to and they will have a voice in deciding what happens to them
- Children and young people with Special Educational Needs and Disability will benefit from co-ordinated provision, because services work effectively in partnership with parents/carers and each other
- Quality support will be provided for parents/carers, settings and schools
- The curriculum will be suitably differentiated and/or supported to ensure that there are clear objectives and targets which are appropriate for the child or young person
- Schools will use their resources effectively, and where necessary seek external specialist support where appropriate, children and young people with Special Education Needs and Disability will be provided for in a local school alongside his or her peers in a local setting
- There is effective transition from one phase to the next in collaboration with Children and Families Services, parents/carers and external agencies working together

Principles

Our vision is underpinned by a number of principles that guide the provision and commissioning of services for children and young people with special educational needs and disabilities.

Children and young people in Cheshire East with special educational needs and disabilities have an entitlement to:

- Effective early intervention based on an assessment of their needs from a range of agencies
- Quality first teaching, wherever possible in a mainstream school, that is as close to their home as possible
- Specialist provision if their needs cannot be met in a mainstream school
- Provision which gives best value for money at the right time in the right place
- Support from services and agencies which work well together to provide the right service, at the right time, in the right way
- Services which listen and involve them in decisions about matters which directly affect them

- Services which involve their parents/ carers as equal partners in their education
- Quality special educational needs and disability information, which is easy to find, up to date, relevant and available in a range of formats
- The right support as they make the transition from one setting to the next, into the world of work and into supported or independent living



Scope of the Policy

This policy applies to all children and young people in Cheshire East between the ages of 0-25 who have Special Educational Needs and Disability and to whom the Authority has a statutory obligation as defined by the Education Act 1996, its associated regulations and the SEN Code of Practice (2001).

The policy promotes equality to all pupils and their families whatever their gender, ethnic origin, home language, religion, disability or social circumstances.

This policy also has implications for all our partners in the Special Education Needs and Disability process, i.e. schools/colleges, independent specialist providers, governing bodies, parents/carers and statutory/voluntary agencies.



Definitions

For the purpose of this policy the definitions provided in this section are taken from the Special Educational Needs Code of Practice 2001 and from the Equality Act 2010.

“Children and Young people aged 0-25 with additional needs” is a broad term used to describe all those at risk of poor outcomes as defined by the “help children achieve more” agenda (replacing the “Every Child Matters” outcomes).

An estimated 20-30% of children have additional needs at some point in their childhood, requiring extra support from education, health or social care. This could be for a limited period, or on a long term basis.

Children have special educational needs if they have a learning difficulty which calls for special educational provision to be made for them.

Children have a learning difficulty if they:

- a) Have significantly greater difficulty in learning than the majority of children of the same age and/or
- b) Have a disability which prevents or hinders them from making use of educational facilities of a kind provided for children of the same age; and
- c) Are under compulsory school age and fall within the definition of (a) or (b) above, or would do so if special educational provision was not made for them.

Children and young people must not be regarded as having a learning difficulty solely because the language or form of language of their home is different from the language in which they will be taught.

Special educational provision means:

- a) For children of two or over, educational provision which is additional to, or otherwise different from, the educational provision made generally for children of their age in schools maintained by the Local Authority (other than special schools in the area); and
- b) For children under two, educational provision of any kind (Educational Act, 1996).



Special Educational Needs and Disability Policy

0 - 25 Years | 2012 - 2015



The Equality Act 2010 defines a person with a disability as someone who has “a physical or mental impairment, which has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities”.

For the purpose of deciding whether a child or young person is disabled, a long-term effect of an impairment is one:

- which has lasted for at least 12 months; or
- where the total period for which it lasts, from the time of first onset, is likely to be at least 12 months; or
- which is likely to last for the rest of the life of the child or young person affected (Equality Act, 2010)

‘Physical impairment’ includes sensory impairment and mental impairment including learning difficulties and 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, autism, speech and language impairments and Attention Deficit Hyperactivity

Disorder (ADHD). Pupils with severe disfigurements are also covered by the Equality Act 2010, as are those with progressive conditions that are likely to change over time such as cancer.

Many, although not all, children and young people with a disability will have a special educational need if they have difficulty accessing education or if they need special educational provision to be made for them.

The term Learning Difficulties and/or Disabilities (LDD) is used to refer to individuals or groups of learners who have either a learning difficulty in relation to acquiring new skills or who learn at different rates to their peers and who have a disability as defined under the Equality Act 2010.

The terms Special Educational Needs and Disability and LDD are often used interchangeably. However, for the purposes of this policy, children and young people with Special Educational Needs and Disability includes children with LDD, but does not exclusively make up this vulnerable group.

Cheshire East - Context

Cheshire East Council came into being in April 2009, when Cheshire County Council was disaggregated and two new unitary authorities were formed.

The Children's Act 2004 placed a new duty on agencies to co-operate to improve outcomes for children and young people and established new Children's Services Authorities, the new Cheshire East Children and Families Service was established in September 2009.

Cheshire East has a diverse rural and urban profile. The area is classed as significantly rural, with more than half the population living in rural or rural market town areas. The other eight towns, although urban, have outskirts which contain areas classified as more rural than urban.

The population in Cheshire East has steadily increased over the past nineteen years, from 340,500 in 1991 to 363,800 in 2010 – an increase of 7%.

The age profile of Cheshire East is slightly older than that of England & Wales. In 2010, 6% of Cheshire East's residents were aged under 5, 11% were

aged 5 to 14, 12.1% were aged 15 to 25 and 19% were aged 65 or more.

The number of children (aged 0-15) in 2010 has increased marginally (235) since 1991, to 65,800 in Cheshire East; however, whilst numbers have increased by 9% in Crewe & Nantwich they have decreased by 3% in Congleton and 4% in Macclesfield. It is forecast that by 2029 there will be around 4% fewer children living in Cheshire East than there were in 2009 whilst the number of people aged 85 or above will have doubled within the same period.

Educational attainment among school pupils in terms of achieving 5 or more GCSE grades at A*-C grade is above the national average. Cheshire East schools generally perform well; children get off to a good start with a large percentage of childcare establishments, nursery education and primary schools judged to be better than similar areas and better than standards found nationally.



Special Educational Needs and Disability Policy

0 - 25 Years | 2012 - 2015

Key Strategies and Priorities

The following documents provide strategic direction to the policies of the Children and Families Service:

The Cheshire East Sustainable Community Strategy 2010-2025

The Cheshire East Council Corporate Plan

The Children and Families Service Plan

The future pattern of provision, including support and outreach services for children and young people with Autism Spectrum Conditions (ASC) and/or Behavioral, Emotional and Social Development (BESD) is under review.

The Special Educational Needs and Inclusion Team

The Special Educational Needs and Inclusion Team discharge the Local Authority's statutory responsibilities for children and young people with special educational needs and disabilities.

The team consists of:

- Special Educational Needs and Disability Assessment and Monitoring Team
- Educational Psychology Service
- Sensory Inclusion Service (Vision and Hearing Support)
- Early Years Service
- The Child Development Service
- Autism Support Team
- Medical Needs

Children and Families Approach

Cheshire East Children and Families Service has developed Levels of Need model in partnership with the Local Safeguarding Children Board (LSCB) and the Cheshire East Children's Trust.

The model is designed to support practitioners to make sure children and young people are helped to access the right help at the right time, based on an assessment of their needs. The model identifies the four levels of need as Universal, Targeted, Complex and Specialist.





National Context

Cheshire East Parent's and Carers' Voice

This parental support group has produced a report entitled "The Parents Perspective on Special Education in Cheshire East", providing insights into their children's experiences of special educational needs in their schools, and provided some recommendations for action.

Legislative Framework

The Local Authority must provide services for children and young people with SEND in line with the statutory framework as set out in:

- Special Educational Needs Code of Practice 2001
- Education Act 2002
- Education Act 1996
- Education and Inspections Act 2006
- Education and Skills Act 2008
- Apprenticeships, Skills, Children and Learning Act 2009
- Equality Act 2010
- Associated Regulations

National Policy Framework

The policy is also governed and informed by the following national policies and guidelines:

- Supporting young people with learning difficulties to participate and progress, DfE (2010a)
- Ofsted Common Inspection Framework for Further Education and Skills, 2009
- Healthy Lives, Brighter Futures; The Strategy for Children and Young People's Health, 2009
- Aiming High for Disabled Children: better support for families, May 2007
- Improving the Life Chances of Disabled People, 2005
- National Service Framework for Children and Young People and Maternity Services, 2004
- Removing Barriers to Achievement - The Government's Policy for Special Educational Needs and Disability, 2004
- Inclusive Schooling - Children with Special Educational Needs, Guidance 2001
- REACT 2010 Commissioning Funding and Funding for 16-19 Education and Training - High Level Guide for Local Authorities
- Young People's Learning Agency (YPLA) Placement Technical Guidance for Independent Specialist Providers, 2011/12
- Assessments Relating to Learning Difficulties, 2010

Government Reviews

The policy is also influenced by strategic developments of the following Government reviews:

- Ofsted Review Special Educational Needs and Disability, 2010
 - Salt Review, 2010
 - Lamb Inquiry, 2009
 - Bercow Review, 2008
 - Rose Review, 2008
 - Aiming High for Disabled Children, 2008
 - Learning for Living and Work Framework, (LflW) 2010
 - The green paper, Support and aspiration: a new approach to special educational needs and disability, 2011
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Local Authority - Roles and Responsibilities

The Local Authority has a number of key statutory responsibilities which are set out in this section of the policy.

Providing Information

The Local Authority has a responsibility to provide information as set out under Schedule 2 of the SEN Regulations to:

- Promote high standards of education for children and young people with special educational needs and disabilities
- Encourage children and young people with special educational needs and disabilities to participate fully in their school and community to take part in decisions about their education
- Encourage schools in their area to share their practice in providing support for children and young people with special educational needs and disabilities
- Work with other statutory and voluntary bodies to provide support for children and young people with special educational needs and disabilities

Identifying Children with Special Educational Needs and Disabilities

The special educational needs and disabilities and Inclusion Team and the Early Years Team work on an ongoing basis with health services, settings, schools and a range of agencies.

The team identifies children with special educational needs and disabilities of all levels of intervention, taking into account the action taken by the setting or school, and the progress made by the child and young person, in accordance with the SEN Code of Practice.

Monitoring the Admission of Children with Special Educational Needs and Disabilities to Maintained Schools

The schools admission team is responsible through the admissions forum for setting out the Local Authority's policy in relation to the admission of children with special educational needs and disabilities and

our response, where this gives cause for concern or complaint.

The Special Educational Needs and Disabilities Assessment and Monitoring team are responsible for the admission to school of a child with a statement of Special Educational Needs. The procedure followed is in accordance with schedule 27 of the Education Act 1996.

The Local Authority Admissions Team and the Special Educational Needs and Disabilities and Inclusion team liaise to address concerns relating to admissions procedures and timescales.

The percentage of statements amended by 15th February each year for phase transfers is monitored and action taken where needed by the Special Educational Needs and Disabilities Assessment and Monitoring team.

Organising the Assessment of Children's Special Educational Needs

Organising the assessment of children's special educational needs under section 323 of the Education Act 1996

is carried out by the Special Educational Needs and Disabilities Assessment and Monitoring team, in accordance with guidance in Sections 7 and 8 of the SEN Code of Practice 2001.

In 2007 the Local Authority introduced a funding mechanism called Individual Pupil Funding (IPF). IPF is a funding stream for children and young people who in the past would have undergone a statutory assessment. IPF still acknowledges where the child has needs beyond the level which can be reasonably be funded through the school budget. IPF is currently under review.

Organising the Making and Maintaining of Statements including any Local Protocols

This is carried out in accordance with guidance in Sections 7 and 8 of the SEN Code of Practice 2001, by the Special Educational Needs and Disabilities Assessment and Monitoring team.

Providing Information for Parents/Carers, Settings and Schools

Information for parents of children and young people with Special Educational Needs and Disabilities is provided through the Parent Partnership Website.

The Family Information Service provides a range of impartial leaflets for parents as well as links to other useful local and national organisations.

Cheshire East's Special Educational Needs and Disability and Inclusion team provide a range of published resources which sets out the Local Authority's information in relation to Special Educational Needs and Disability provision for children and young people.

Pre- and post-16 institutions and other agencies provide information and guidance for parents/carers and young people.

Information on the process for the Post 16 Independent Specialist Provider Placement Procedure is provided to parents, carers, schools, and specialist

providers. This procedure outlines the process for new and existing placements at an Independent Specialist Provider. Educational placements are commissioned by the Local Authority for young people with learning difficulties and/or disabilities, who are subject to a learning difficulty assessment, who are over compulsory school age but under the age of 25.

Securing Training, Advice and Support for Staff working with Special Educational needs and Disabilities

The Local Authority provides a learning and development programme aligned to local and national priorities. This programme includes:

- Special Educational Needs Co-ordinators (SENCO) Networks – induction for new SENCOs
- National training programmes – Ofsted 'SEN in Mainstream Schools' and 'Judging the achievement of children with Profound and Multiple Learning Difficulties'



Special Educational Needs and Disability Policy

0 - 25 Years | 2012 - 2015

- Targeted use of resources to support specific training programmes e.g. moving and handling, medical needs in school, Communication Aids Project, Let's Talk Project
 - Signpost support for tailored development programmes aligned to specific aspects of Special Educational Needs and Disability e.g. Dyslexia-friendly schools, Associate Member of the British Dyslexia Association
 - Training for staff working with children and young people on the autistic spectrum continuum
 - School-based training aligned to identify developmental needs in individual schools or groups of schools
 - Guidance to schools on entitlement to additional support
 - Learning development programme for early years Special Educational Needs and Disability consultants
 - Family Support Workers carry out a Bridging Worker role for children and young people with disabilities who require after school provision
 - Statutory Assessment and Monitoring Team support and advice to SENCOs who are new to the post in statutory procedures and IPF requirements
- In addition, an integrated Workforce Development training plan, as detailed in the Early Years Foundation Stage (EYFS), has been drawn up to address the needs of the practitioners from the different early years providers. The plan covers ten priority areas for training.

Planning and Reviewing Provision for Pupils with Special Educational needs and Disabilities

The Local Authority is expected to keep its pattern of provision for special educational needs under review.

A comprehensive review was undertaken in 2005-2006 and a new pattern of provision for special educational needs and disabilities was agreed by the Local Authority. The Local Authority is currently undertaking a review of special educational needs and

disabilities provision and has identified interim key priorities for improvement.

The Local Authority's strategy for Monitoring, Challenge, Intervention and Support for settings and schools promotes high standards of education and well-being for all children and young people, and sets out how we will ensure that settings and schools make inclusive provision for children with special educational needs and disabilities.

Reviewing and Updating Special Educational needs and Disabilities Policy and Development Plans

The special educational needs and disabilities Policy will be reviewed on a 3-year cycle.

The Children and Young People's Plan objectives, targets and milestones are reviewed annually.

The special educational needs and disabilities action plan will be reviewed on a 3-year cycle. This action plan has



been developed by the Local Authority and its partners to develop and implement an integrated approach to the delivery of services for children and young people with special educational needs and disabilities, with the aim of improving outcomes.

Auditing and Monitoring Performance

The special educational needs and disabilities database is monitored quarterly to provide management information relating to children with special educational needs and disabilities. The Monitoring and Intervention Manager (in the Children and Families Quality Assurance Team) and the Principal Manager for special educational needs and disabilities monitor the effectiveness of provision through a range of indicators. Specialist Services contribute to this process through:

- Monitoring and review of locality action plans to improve service delivery and outcomes for children and young people

- Annual meetings with Education Improvement Partnerships to agree how best to support and advise settings and schools
- Service involvement in individual casework and in developing the capacity of mainstream schools to better meet the needs of children with special educational needs and disabilities
- Attendance at annual reviews of children with IPF and statements of special educational needs and disabilities
- Monthly IPF panel meetings to allocate additional resources
- Half-termly educational psychology group consultations
- Weekly operational meetings of the Special Educational Needs and Disabilities Assessment and Monitoring Team to monitor, review and allocate a range of resources
- Bi-annual quality assurance board to ensure the consistency and quality of statements of special educational needs and disabilities

(as recommended in the Lamb Inquiry 2009)

The Special Educational Needs and Disabilities Assessment and Monitoring Team provides data in line with the national performance indicators for the completion of Statutory Assessments within the expected time limits of 26 weeks. This is provided in June, based on the previous financial year, and published in November by the DfE.

Cheshire East Council completes a self-evaluation of special educational needs and disabilities provision, performance and progress and this is reviewed with the Children and Families Senior Management team on a quarterly basis.



Challenge and Intervention

The Local Authority must monitor, challenge, intervene and support schools in making provision for children with special educational needs and disabilities. Schools are monitored to ensure that the local authority is able to account for the money which it delegates and spends itself in connection with schools, and gives best value for money. The Children and Families Service through the Quality Assurance Team's Monitoring and Intervention Service and its other Service Groups acts as the 'critical friend'; both supporting schools and settings in what they do well, and challenging them, when appropriate, to do better.

This requires:

- A detailed analysis of all performance data related to standards, wellbeing and finances;
- Close knowledge of the current picture gained through regular visiting to targeted schools, with the school's agreement;
- A good grasp of a school's aspirations including its plans and targets;

- A system of regular meetings of those with knowledge and understanding of the schools

If there is an issue with a school regarding the quality of special educational needs and disabilities and or inclusion, further investigation and challenge will take place. This will be undertaken by the Monitoring and Intervention Officer from the Special Education and Inclusion Team or an external specialist adviser. The investigation will take the form of one or all of the following:

- Immediate communication
- School visit
- Paired visit
- Focused review
- Themed review

If, following the monitoring review, serious and/or chronic concerns around special educational needs and disabilities and/or inclusion is evident, a focused review will take place. This will occur with one to three days' notice.

Providing Education and Training Post 16

For the majority of young people (over the age of 16) who have learning difficulties and/or disabilities, education and training provision will be delivered in a mainstream setting.

Local Authorities have a duty to secure enough suitable education and training to meet the reasonable needs of persons who have special educational needs and disabilities who are over compulsory school age, but under 19, as well as for those aged 19 or over but under 25, who are subject to a learning difficulty assessment (section 15ZA of the Education Act 1996, inserted by the Apprenticeships, Skills, Children and Learning (ASCL) Act 2009).

Local Authorities have existing duties to encourage, enable and assist the participation of all young people with learning difficulties and/or disabilities up to 25 years and also in respect of transport arrangements. It is important that all of these duties are aligned with the interests of the learner.



The Cheshire East Independent Specialist Provider Placement Procedure 2011/12 provides information in relation to the small number of young people in receipt of a learning difficulty assessment whose education and training needs can only be met by an independent specialist provider.

Local Authorities have a statutory duty as defined in Section 80 of the Education and Skills Act 2008 to undertake assessments relating to learning difficulties.

Providing Boarding Accommodation Post – 16

Section 46 of the Apprenticeships, Skills, Children and Learning (ASL) Act 2009 provides Local Authorities with the power to secure boarding accommodation for persons who are over compulsory school leaving age but under 25 and subject to a learning difficulty assessment.

The following documents provide guidance and documented procedures in line with national policy to facilitate and record placement decisions for

provision at independent specialist providers, for young people aged 19 but not yet 25, with a learning difficulty assessment. They can also be used to communicate the procedures to young people, their parents, carers and advocates, referring agencies, schools, colleges and independent specialist providers.

- YPLA's Placement Information: Learners with Learning Difficulties and/or Disabilities at Independent Specialist Providers 2011/12
- Cheshire East Council's Independent Specialist Provider Placement Procedure 2010/12





Schools and Parents/Carers Roles and Responsibilities

This section sets out the role and responsibilities schools, parents and carers have for children and young people with special educational needs and disabilities.

Schools Must:

- Ensure that the 5% notional funding provided for special educational needs and disabilities is used to deliver the necessary provision for any pupil who has special educational needs and disabilities
- Inform the pupil's parents/carers that special educational provision is being made for them because they have special educational needs and disabilities (i.e. they are being supported at School Action of the SEN Code of Practice)
- Ensure that parents/carers have knowledge about the special educational needs and disabilities provision that the school makes, and that they are able to make their views known about how their child is educated and have access to information, support and advice regarding their child's special educational needs and disabilities
- Ensure that, where the responsible person - the head teacher and the appropriate governor - has been informed by the Local Authority that a pupil has special educational needs and disabilities, those needs are made known to all who are likely to teach/support them
- Ensure that teachers in the school are aware of the importance of identifying, and providing for, those pupils who have special educational needs and disabilities
- Ensure that a pupil with special educational needs and disabilities joins in the activities of the school together with pupils who do not have special educational needs and disabilities. The school must do this so far as is reasonably practical and compatible with the child receiving the special educational provision required by their learning needs, in relation to the efficient education of the pupils with whom they are educated, and the efficient use of resources
- Work in partnership with the Local Authority and the governing bodies of other schools, when it seems to be necessary or desirable, in the interests of co-ordinating special educational provision in the area as a whole
- Have a written special educational needs and disabilities policy containing the information as set out in the Education (Special Educational Needs) Regulations 1999 (reproduced in the SEN Code of Practice), and report to parents on it in the school prospectus, including the name of the person responsible for coordinating special educational needs and disabilities provision
- Have regard to the SEN Code of Practice, which is designed to help schools make effective decisions, but does not set out what to do in each individual case



Performance Information

In order to support the Local Authority in its role of monitoring, challenging and supporting schools in making provision for children with special educational needs and disabilities, schools should maintain the following information:

- Recent OFSTED inspection reports
- Fischer Family Trust/school data
- Self-Evaluation Form judgements about all aspects of provision
- School's strategic plan
- Analysis of trend data and moving averages (very important for schools with small cohorts)
- Analysis of pupil progress data matching individual pupils' results between key stages
- Exclusion and attendance data
- SEND policy, process and protocols
- Financial data including open and transparent information about how the notional 5% SEND funding is spent

- Visits/information available from any other Service Group including - Human Resources, Specialist Support Services and the Parent Partnership Service

- Human resources data

Provision for Children with Statements

For children and young people with special educational needs and disabilities for whom the Local Authority maintains a statement, schools must:

- Use the funding allocated by the Local Authority to deliver the provision specified in statements
- Monitor the child and young person's progress against the objectives as set out in the statement
- Initiate the annual review of the statements, ensure that all relevant representatives are invited to the review meeting and provide a report to the Local Authority no later than 10 days after the annual review or the end of term, whichever is earlier

The Duty to Promote Equality - Disability Equality Scheme

From 2007 schools must publish a three-year equality scheme or plan showing how they will promote equality of opportunity for disabled pupils, staff and those for whom they provide services. They must also publish an annual action plan showing how they are implementing their scheme. A school's equality plan should show:

- How people with an interest in the plan have been involved in its development
- The methods for assessing the impact of policies and practices on equality for disabled persons
- The steps that will be taken to promote equality of opportunity for disabled people
- The effect of policies and practices for disabled people, including information on recruitment, development and retention of disabled employees

- Educational opportunities for, and achievements of disabled pupils
- The arrangements for making use of this information to help promote equality of opportunity

Planning

Schools should plan well and make good provision for pupils with special educational needs and disabilities by ensuring:

- Outstanding quality first teaching
- Learning targets for individual pupils are identified
- Additional or different provision from the differentiated curriculum is planned and offered to all pupils
- That special educational needs and disabilities provision is reviewed in light of individual pupil progress
- That if a school has a policy of planning, target setting and recording the progress of all pupils, as part of personalised learning, then there is not a need for the school to write Individual Education

Plans for children and young people with special educational needs and disabilities

Responsibilities for Governing Bodies

Governing bodies have a responsibility to ensure that:

- The school has a Special Educational Needs and Disability policy which includes the arrangement for both the identification and provision for special educational needs and disabilities, and that this information is available to parents
- The necessary provision is made for any pupil who has special educational needs and disabilities through school action or school action plus
- A member of the governing body is named as the 'responsible person' for special educational needs and disabilities
- Teachers in the school are aware of the importance of their responsibility for identifying and providing for special educational needs and disabilities pupils

- The SENCO receives appropriate training and has the time to carry out their role and responsibilities



Other Responsibilities for Headteachers and Teachers

In addition to many of the responsibilities outlined above, head teachers and teachers have a responsibility to ensure that:

- The school's special educational needs and disability policy is implemented in line with requirements of the current legislation
- Staff attend appropriate in-service training to meet the needs of children and young people with special educational needs and disability
- Arrangements are in place to report on the use of SEND funding to the Governing Body and that systems are in place for setting, monitoring and reviewing Individual Education Plans (IEP's) and Individual Behaviour Plans (IBPs) and reviews of Statutory Statements.

- Visits by the Local Authority's are facilitated, when requested, and pupil records are made available for inspection, for those children at School Action, School Action Plus and with Statements.
- High standards of special educational needs and disabilities provision are promoted.
- Children with special educational needs and disabilities are encouraged to access and participate in learning in a setting or school as close to their home as possible.

Responsibilities for Parents

Parents are responsible for ensuring that their child receives full time education suitable to their age, ability and aptitude and to any special educational needs they may have, either by regular attendance at school or otherwise.

Parents of pupils with statements of special educational needs and disabilities have a right to express a preference for school placement

They also have the right to appeal to the First Tier Special Educational Needs and Disability Tribunal if, it is not possible to reach an agreement with the Local Authority regarding appropriate special educational needs provision

If parents/ carers have any concerns or questions about this process, or disagree with any part of the statement, advice or support is available from the Local Parent Partnership Service. In addition, they can contact Global Mediation Ltd, which is an independent service set up to help resolve or prevent disagreements between parents/ carers and the Local Authority

Using either of these services does not prevent an appeal to the First Tier Tribunal Special Educational Needs and Disability and their rights are not affected. An appeal to the Tribunal can run at the same time as any disagreement resolution

Parents/carers can also request a copy of the school's published complaints policy which sets out the formal complaints process for the school community



The Management of Special Educational Needs and Disabilities Funding

Funding for special educational needs and disabilities is provided through the Dedicated Schools Grant (DSG). The Local Authority currently retains 8.34% of DSG. Part of this funding supports the Local Authority's statutory responsibilities for school age children and young people. Delegated budgets which are devolved to schools, which are funded from DSG also contain funding to meet the school's statutory responsibilities for children and young people. The DSG funding contains a notional element for special educational needs and disabilities. The Local Authority also receives funding from the Early Intervention Grant which funds early year's provision and support for special educational needs and disabilities.

The Notional Special Educational Needs and Disabilities Budget

The notional SEN budget comprises 5% of the relevant parts of schools budgets plus a General Special Needs Allowance (GSNA) which has been delegated on an attainment-based formula. These are

represented by amounts 'A' and 'B' on the school's Special Educational Needs and Additional Educational Needs statement. Together these budgets are the notional amounts intended for 'Level 1' intervention and support at School Action and School Action Plus. Early and effective use of this resource for additional and different interventions should enable pupils to progress and increasingly prevent the need for additional resource at levels 2 & 3 under Individual Pupil Funding (IPF).

Depending on the number and type of children with special educational needs and disabilities, many schools will need to spend more than this total figure for children and young people at School Action and School Action Plus. The 5% budget amount and the GSNA should not be regarded as a limit; it is intended to support the schools evaluation of Special Educational Needs and Disability spending. Some authorities, for example, have suggested a notional figure of 7% of budget.

Expectations of effective interventions and support at Level 1 are set out in the IPF handbook.

The Local Authority has a notional budget to secure suitable education and training

for young people aged 16-25, with a learning difficulty assessment, which will be used to contribute to:

- The learning costs of continuing and new learners with high level specialist needs in placements in Independent Specialist Providers commissioned by the Local Authority;
- Learning support costs of continuing and new learners with high level support needs in placements commissioned by the Local Authority, through special arrangements with mainstream providers;
- Actual learning support costs for continuing and new learners in a General Further Education College, where the costs of additional learning support are over £19,000

In practice this means that the Local Authority works closely with the Young Peoples Learning Agency (YPLA) to ensure that all commissioning decisions, for all learners, take into consideration the YPLA national budget available. There is also a duty to ensure that the placement process is managed collaboratively and the funding is used with equity and transparency.

Individual Pupil Support

Many schools will receive delegated funding (amount 'C') allocated via statements for classroom assistant hours, or via Individual Pupil Funding (IPF). IPF is only provided to support pupils with the longest standing most complex needs who in previous years would have required a Statement.

One of the key criteria is the range and effectiveness of Level 1 interventions through the graduated response, which in many cases will prevent the need for additional resource under IPF.

Once IPF is agreed, it is transferred quickly to schools and should be used flexibly, rather than necessarily funding individual Teaching Assistant support.

There continues to be pressure on the teaching assistant budget and there is an ongoing review by the Authority into the overall approach to SEN funding and provision to ensure Value for Money within allocated resources.

Some primary schools are designated as specially resourced for Autism, Hearing Impairment, Complex MLD or BESD.

These schools receive an additional resource in the form of a "lump sum" to support their additional responsibilities. Resource provision is currently being reviewed as part of the special educational needs and disabilities review.

Other Budgets for use at School Action and School Action Plus

Secondary schools receive a lump sum for the development of inclusion resource provision which is intended for early, targeted intervention for a range of vulnerable pupils including those with learning needs or behavioural needs.

They also receive funding for Additional Educational Needs (AEN). Whilst in some cases schools may be targeting support for specific groups, e.g. pupil mobility or English as an Additional Language (EAL), the Audit Commission has advised that, given the correlation between deprivation and SEN, many schools will use some of this funding to add to general SEN spending detailed in section 1 above.

Other Funding Available for SEN

Over recent years the Age Weighted Pupil Unit (AWPU) has grown due to the addition of specific amounts for personalisation. Whilst some of this has been delegated through the notional SEN budget described in section 1 above, the remainder has been allocated as part of general AWPU.

In 2010-11 some schools received funding from national primary and secondary strategies to support intervention programmes for groups who are making less progress. The relevant amount included in the 2011-12 budget, and in future budget delivery, is no longer ring fenced and is included in the 'Source of Funds – Supplementary Information' statement.

The same applies to the relevant amount previously received as School Development Grant, some of which has previously been used for staff development relating to SEN and Inclusion and/or specific projects to develop new approaches.

In some Education Improvement Partnerships (EIPs) there have been agreements to jointly fund specific activity and development particularly for outreach and staff development around SEN inclusion.

The Local Authority retains DSG funding to support a range of special educational needs and disabilities activities related to the statutory responsibilities defined in the SEN Code of Practice.

School transport may be provided for pupils due to the complex nature of their special educational needs which prevents them from either walking to school or using multi-occupancy vehicles. The Local Authority's Complex Special Needs Transport Policy sets out entitlement to transport on complex/special needs grounds and is reviewed annually.

Evaluating Impact of SEN Spending – Audit Commission Value for Money Toolkit

As part of their self evaluation of the effective use of funding and ensuring successful outcomes for children, schools are strongly advised to use the Audit Commission on-line self-evaluation tool to evaluate the use of their budget for vulnerable children and the impact this is having on their progress.

The DfE is concerned about the national growth of delegated resource for SEN and the lack of detailed evaluation evidence across schools, local authorities and nationally of the impact of SEN spending on outcomes for individual pupils. The inspection framework introduced in January 2012 will enable inspections to make a judgement on the impact of expenditure on pupil outcomes.



Equality

All new policies, services and functions should be subject to an equality impact assessment (EIA).

The Equalities Act 2010 requires an assessment of impact, both positive and negative; to be made using robust data on the following protected characteristics:

- Age
- Sex
- Disability
- Religion and Belief
- Gender reassignment
- Race (language barriers are seen as a race issue)
- Socio-economic disadvantage
- Sexual orientation
- Marriage and civil partnership
- Pregnancy and maternity



Glossary



ADHD Attention Deficit Hyperactivity Disorder

AEN Additional Educational Needs

ASC Autism Spectrum Conditions

ASCL Act Apprenticeships, Skills, Children and Learning Act 2009

AWPU Age Weighted Pupil Unit

CEAT Cheshire East Autism Team

CYP Children and Young People

CYPP Children and Young People's Plan

DfE Department for Education

DSG Dedicated School Grant

GSNA General Special Needs Allowance

IBP Individual Behaviour Plan

IEP Individual Education Programme

IPF Individual Pupil Funding

LDD Learning Difficulty and Disability

LLDD Learners with Learning Difficulties and/or Disabilities

MLD Moderate Learning Difficulties

SENCO Special Educational Needs Coordinator

SEND Special Educational Needs and Disability

YPLA Young People's Learning Agency



Appendix 1 – SEND Early Intervention Model Based on Level of Need

Universal

- Quality first teaching (every teacher is a teacher of SEND)
- Fund school notional 5%
- Ofsted
- Inclusion development programme strands 1-4
- Information for parents
- Family Information Service
- All pupil voice
- Complaint procedure
- Reasonable adjustment
- Statutory compliance – sen code of practice, Equalities act 2010
- School 2 school support
- Transition review

Targeted

- Advice and guidance - SENCO
- Parent partnership service
- Individual Education Plan / Individual Behaviour Plan
- School Action and funded at school level with the notional 5%
- Early years school action
- CEAT
- SEN Register
- Opportunities for families to share success and challenges
- Clear, helpful advice
- Pre-CAF
- EWO's
- Access to local quality assurance team
- Parent partnership service
- Half termly SEND reviews

Complex

- School action plus where more than one agency is involved
- CAF Process
- Additional funding supplied above the 5% notional budget is provided using agreed funding criteria (IPF)
- Access to statutory assessment process
- Access to specialist services
- Access to multi professional team
- Access to out of year admissions protocol
- Learning difficulty assessment 19 - 25
- Individual specialist educational placement
- Mediation, parent partnership, multi professional team
- Half termly review

Specialist

- Statement of special educational needs
- Resourced provision place
- Special school place
- PRU
- Travel arrangements in accordance with the SEND policy
- Residential provision
- Learning difficulty assessment 19 – 25
- Individual specialist educational placement
- Statutory annual review
- Transition plan
- Access to statutory appeals process
- Mediation, parent partnership, multi professional team

**Special Educational Needs
and Disability Policy**



0 - 25 Years | 2012 - 2015

Contacts

Cheshire East have a Special Educational Needs and Disability web page, please go to;
www.cheshireeast.gov.uk

The Child Development Service

Oaktree Children's Centre
Mablins Lane, Crewe, CW1 3YR
Tel: 01270 371220

or

The Ingersley Building
Macclesfield District General Hospital, Victoria Road,
Macclesfield
SK10 3BL
Tel: 01625 661678

SEND Assessment and Monitoring Team

SEND Assessment and Monitoring Team
Macclesfield Town Hall
Market Place, Macclesfield
Cheshire, SK10 1DX
Tel: 01625 378042
E-mail: senteam@cheshireeast.gov.uk

Educational Psychology Service

Acting Principal Educational Psychologist
Macclesfield Town Hall, Market Place, Macclesfield,
Cheshire, SK10 1EA
Tel: 01625 374794
E-mail: educational.psychologists@cheshireeast.gov.uk

Sensory Inclusion Service

Sensory Inclusion Service
Macclesfield Town Hall, Market place
Macclesfield, SK10 1EA
Tel: 01625 374870
or
Floor 7, Delamere House, Delamere Street, Crewe, CW1 2JZ
E-mail: sensoryinclusionservice@cheshireeast.gov.uk

Autism Team

The Autism Team,;
Floor 7, Delamere House
Delamere Street, Crewe, CW1 2LL
Tel: 01270 685960
E-mail: theautismteam@cheshireeast.gov.uk

14-25 LLDD Team

14-25 LLDD Team
Floor 7, Delamere House
Delamere Street, Crewe
CW1 2LL
E-mail: lidd@cheshireeast.gov.uk

Parent Partnership

Parent Partnership Service Cheshire East
Delamere House (EC2), Delamere Street
Crewe, CW1 2LL
Tel: 01625 374278
E-mail: parentpartnership@cheshireeast.gov.uk

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