

# SEND and the role of Schools

## SEND Definition

A child of compulsory school age or a young person has a learning difficulty or disability if he or she:

- has a **significantly greater difficulty** in learning than the majority of others of the same age, or
- has a **disability which prevents or hinders** him or her from making use of facilities of a kind generally provided for others of the same age in mainstream schools.

## Schools Responsibility

Schools **MUST** be aware of the actions they should take to meet their duties in relation to identifying and supporting all children with special educational needs (SEN) whether or not they have an Education, Health and Care (EHC) plan.

Every school **IS REQUIRED** to identify and address the SEN of the pupils that they support and **MUST**:

- **use their best endeavours** to make sure that a child with SEN gets the support they need – this means **doing everything they can** to meet children and young people's SEN
- **ensure that** children and young people with SEN engage in the activities of the school alongside pupils who do not have SEN
- **designate a teacher to be responsible** for co-ordinating SEN provision – the SEN co-ordinator, or SENCO
- **inform parents** when they are making special educational provision for a child
- **prepare a SEN information report** (see 'Publishing information: SEN information report', paragraph 6.78 onwards) and their arrangements for the admission of disabled children, the steps being taken to prevent disabled children from being treated less favourably than others, the facilities provided to enable access to the school for disabled children and their accessibility plan showing how they plan to improve access progressively over time

There **SHOULD** be a member of the governing body or a sub-committee with specific oversight of the school's arrangements for SEN and disability. School leaders should **regularly review** how expertise and resources used to address SEN can be used to build the quality of whole-school provision as part of their approach to school improvement.

The quality of teaching for pupils with SEN, and the progress made by pupils, **SHOULD** be a core part of the school's **performance management** arrangements and its approach to **professional development** for all teaching and support staff. School leaders and teaching

staff, including the SENCO, **SHOULD** identify any patterns in the identification of SEN, both within the school and in comparison with national data, and use these to reflect on and reinforce the **quality of teaching**.

The identification of SEN **SHOULD** be built into the overall approach to **monitoring the progress and development** of all pupils.

School's arrangements for assessing and identifying pupils as having SEN **SHOULD** be agreed and set out as part of the Local Offer. A school **SHOULD** publish its arrangements as part of the information it makes available on SEN (see the Special Educational Needs and Disability Regulations 2014).

In fulfilling these duties schools **SHOULD** ensure that children, parents and young people are actively involved in decision-making throughout.

### **Identifying SEN in schools**

All schools **SHOULD** have a clear approach to **identifying and responding to SEN**. Identifying need at the earliest point and then making effective provision improves long-term outcomes for the child or young person.

A pupil has SEN where their learning difficulty or disability calls for special educational provision, namely provision different from or additional to that normally available to pupils of the same age. **Making higher quality teaching normally available to the whole class is likely to mean that fewer pupils will require such support. Such improvements in whole-class provision tend to be more cost effective and sustainable.**

Schools should assess each pupil's current skills and levels of attainment on entry, building on information from previous settings and key stages where appropriate. At the same time, schools should consider evidence that a pupil may have a disability under the Equality Act 2010 and, if so, what reasonable adjustments may need to be made for them.

**Class and subject teachers, supported by the senior leadership team, should make regular assessments of progress for all pupils.** These should seek to identify pupils making less than expected progress given their age and individual circumstances. This can be characterised by progress which:

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

This can include progress in areas other than attainment – for instance where a pupil needs to make additional progress with wider development or social needs in order to make a successful transition to adult life.

**The first response to such progress should be high quality teaching targeted at their areas of weakness. Where progress continues to be less than expected the class or subject teacher, working with the SENCO, should assess whether the child has SEN. While informally gathering evidence (including the views of the pupil and their parents) schools should not delay in putting in place extra teaching or other rigorous interventions designed to secure better progress, where required. The pupil's response to such support can help identify their particular needs.**

For some children, SEN can be identified at an early age. However, for other children and young people difficulties become evident only as they develop. All those who work with children and young people should be alert to emerging difficulties and respond early. In particular, **parents know their children best and it is important that all professionals listen and understand when parents express concerns about their child's development.** They should also listen to and address any concerns raised by children and young people themselves.

**Persistent disruptive or withdrawn behaviours do not necessarily mean that a child or young person has SEN.** Where there are concerns, there should be an assessment to determine whether there are any causal factors such as undiagnosed learning difficulties, difficulties with communication or mental health issues. **If it is thought housing, family or other domestic circumstances may be contributing to the presenting behaviour a multi-agency approach, supported by the use of approaches such as the Early Help Assessment, may be appropriate. In all cases, early identification and intervention can significantly reduce the use of more costly intervention at a later stage.**

Professionals should also be alert to other events that can lead to learning difficulties or wider mental health difficulties, such as bullying or bereavement. Such events will not always lead to children having SEN but it can have an impact on wellbeing and sometimes this can be severe. Schools should ensure they make appropriate provision for a child's short-term needs in order to prevent problems escalating.

Slow progress and low attainment do not necessarily mean that a child has SEN and should not automatically lead to a pupil being recorded as having SEN. However, they may be an indicator of a range of learning difficulties or disabilities. Equally, it should not be assumed that attainment in line with chronological age means that there is no learning difficulty or disability. Some learning difficulties and disabilities occur across the range of cognitive ability and, left unaddressed may lead to frustration, which may manifest itself as disaffection, emotional or behavioural difficulties.

Identifying and assessing SEN for children or young people whose first language is not English requires particular care. Schools should look carefully at all aspects of a child or young person's performance in different areas of learning and development or subjects to establish whether lack of progress is due to limitations in their command of English or if it

arises from SEN or a disability. Difficulties related solely to limitations in English as an additional language are not SEN.

When reviewing and managing special educational provision the broad areas of need and support outlined below may be helpful, and schools should review how well equipped they are to provide support across these areas. Information on these areas of need and support is also collected through the School Census and forms part of the statutory publication 'Children and Young People with SEN: an analysis' which is issued by DfE each year.

There is a wide range of information available on appropriate interventions for pupils with different types of need, and associated training which schools can use to ensure they have the necessary knowledge and expertise to use them.

### **Broad areas of need**

- Communication and interaction

Children and young people with speech, language and communication needs (SLCN) have difficulty in communicating with others. This may be because they have difficulty saying what they want to, understanding what is being said to them or they do not understand or use social rules of communication. The profile for every child with SLCN is different and their needs may change over time. They may have difficulty with one, some or all of the different aspects of speech, language or social communication at different times of their lives.

Children and young people with ASD, including Asperger's Syndrome and Autism, are likely to have particular difficulties with social interaction. They may also experience difficulties with language, communication and imagination, which can impact on how they relate to others.

- Cognition and learning

Support for learning difficulties may be required when children and young people learn at a slower pace than their peers, even with appropriate differentiation. Learning difficulties cover a wide range of needs, including moderate learning difficulties (MLD), severe learning difficulties (SLD), where children are likely to need support in all areas of the curriculum and associated difficulties with mobility and communication, through to profound and multiple learning difficulties (PMLD), where children are likely to have severe and complex learning difficulties as well as a physical disability or sensory impairment.

Specific learning difficulties (SpLD), affect one or more specific aspects of learning. This encompasses a range of conditions such as dyslexia, dyscalculia and dyspraxia.

- Social, emotional and mental health difficulties

Children and young people may experience a wide range of social and emotional difficulties which manifest themselves in many ways. These may include becoming withdrawn or isolated, as well as displaying challenging, disruptive or disturbing behaviour. These behaviours may reflect underlying mental health difficulties such as anxiety or depression, self-harming, substance misuse, eating disorders or physical symptoms that are medically unexplained. Other children and young people may have disorders such as attention deficit disorder, attention deficit hyperactive disorder or attachment disorder.

Schools and colleges should have clear processes to support children and young people, including how they will manage the effect of any disruptive behaviour so it does not adversely affect other pupils. The Department for Education publishes guidance on managing pupils' mental health and behaviour difficulties in schools.

- Sensory and/or physical needs

Some children and young people require special educational provision because they have a disability which prevents or hinders them from making use of the educational facilities generally provided. These difficulties can be age related and may fluctuate over time. Many children and young people with vision impairment (VI), hearing impairment (HI) or a multi-sensory impairment (MSI) will require specialist support and/or equipment to access their learning, or habilitation support. Children and young people with an MSI have a combination of vision and hearing difficulties. Information on how to provide services for deafblind children and young people is available through the Social Care for Deafblind Children and Adults guidance published by the Department of Health (see the References section under Chapter 6 for a link).

Some children and young people with a physical disability (PD) require additional ongoing support and equipment to access all the opportunities available to their peers.

These four broad areas give an overview of the range of needs that should be planned for. The purpose of identification is to work out what action the school needs to take, not to fit a pupil into a category. In practice, individual children or young people often have needs that cut across all these areas and their needs may change over time. For instance speech, language and communication needs can also be a feature of a number of other areas of SEN, and children and young people with an Autistic Spectrum Disorder (ASD) may have needs across all areas, including particular sensory requirements. **A detailed assessment of need should ensure that the full range of an individual's needs is identified, not simply the primary need. The support provided to an individual should always be based on a full**

**understanding of their particular strengths and needs and seek to address them all using well-evidenced interventions targeted at their areas of difficulty** and where necessary specialist equipment or software.

### **Special educational provision in schools**

**Teachers are responsible and accountable for the progress and development of the pupils in their class, including where pupils access support from teaching assistants or specialist staff.**

**High quality teaching, differentiated for individual pupils, is the first step in responding to pupils who have or may have SEN.** Additional intervention and support cannot compensate for a lack of good quality teaching. Schools **SHOULD** regularly and carefully review the quality of teaching for all pupils, including those at risk of underachievement. This includes reviewing and, where necessary, improving, teachers' understanding of strategies to identify and support vulnerable pupils and their knowledge of the SEN most frequently encountered.

In deciding whether to make special educational provision, the teacher and SENCO **SHOULD** consider all of the information gathered from within the school about the pupil's progress, alongside national data and expectations of progress. This **SHOULD** include high quality and accurate formative assessment, using effective tools and early assessment materials. For higher levels of need, schools **SHOULD** have arrangements in place to draw on more specialised assessments from external agencies and professionals.

This information gathering **SHOULD** include an early discussion with the pupil and their parents. These early discussions with parents **SHOULD** be structured in such a way that they develop a good understanding of the pupil's areas of strength and difficulty, the parents' concerns, the agreed outcomes sought for the child and the next steps. A short note of these early discussions **SHOULD** be added to the pupil's record on the school information system and given to the parents. Schools should also tell children, parents and young people about the local authority's Information, Advice and Support Service.

Consideration of whether special educational provision is required **SHOULD** start with the desired outcomes, including the expected progress and attainment and the views and wishes of the pupil and their parents. This should then help determine the support that is needed and whether it can be provided by adapting the school's core offer or whether something different or additional is required.

More detailed information on what constitutes good outcome setting is given in the SEND Code of Practice, Chapter 9, Education, Health and Care needs assessments and plans (paragraphs 9.64 to 9.69). **These principles should be applied to planning for all children and young people with SEN.** From Year 9 onwards, the nature of the outcomes will reflect the need to ensure young people are preparing for adulthood.

The outcomes considered **SHOULD** include those needed to make successful transitions between phases of education and to prepare for adult life. Schools **SHOULD** engage with secondary schools or FE providers as necessary to help plan for these transitions. The agreed actions may also include those taken to make sure the school meets its duty to ensure that pupils with SEN engage in school activities together with those who do not have SEN.

However support is provided, a clear date for reviewing progress **SHOULD** be agreed and the parent, pupil and teaching staff **SHOULD** each be clear about how they will help the pupil reach the expected outcomes. The overriding purpose of this early action is to help the pupil achieve the identified outcomes and remove any barriers to learning. Where it is decided that a pupil does have SEN, the decision should be recorded in the school records and the pupil's parents **MUST** be formally informed that special educational provision is being made. Arrangements for appropriate support **SHOULD** be made through the school's approach to SEN support.

### **SEN support in schools – Graduated Approach**

Where a pupil is identified as having SEN, schools **SHOULD** take action to remove barriers to learning and put effective special educational provision in place. This SEN support **SHOULD** take the form of a four-part cycle through which earlier decisions and actions are revisited, refined and revised with a growing understanding of the pupil's needs and of what supports the pupil in making good progress and securing good outcomes. **This is known as the graduated approach.** It draws on more detailed approaches, more frequent review and more specialist expertise in successive cycles in order to match interventions to the SEN of children and young people.

- **Assess**

In identifying a child as needing SEN support the class or subject teacher, working with the SENCO, **SHOULD** carry out a clear analysis of the pupil's needs. This should draw on the teacher's assessment and experience of the pupil, their previous progress and attainment, as well as information from the school's core approach to pupil progress, attainment, and behaviour. It should also draw on other subject teachers' assessments where relevant, the individual's development in comparison to their peers and national data, the views and experience of parents, the pupil's own views and, if relevant, advice from external support services. Schools **SHOULD** take seriously any concerns raised by a parent. These **SHOULD** be recorded and compared to the setting's own assessment and information on how the pupil is developing.

This assessment **SHOULD** be reviewed regularly. This will help ensure that support and intervention are matched to need, barriers to learning are identified and

overcome, and that a clear picture of the interventions put in place and their effect is developed. For some types of SEN, the way in which a pupil responds to an intervention can be the most reliable method of developing a more accurate picture of need.

- **Plan**

Where it is decided to provide a pupil with SEN support, the parents **MUST** be formally notified, although parents **SHOULD** have already been involved in forming the assessment of needs as outlined above. The teacher and the SENCO **SHOULD** agree in consultation with the parent and the pupil the **adjustments, interventions and support** to be put in place, as well as the **expected impact on progress, development or behaviour**, along with a **clear date for review**.

All teachers and support staff who work with the pupil **SHOULD** be made aware of their needs, the outcomes sought, the support provided and any teaching strategies or approaches that are required. This **SHOULD** also be recorded on the school's information system.

The support and intervention provided **SHOULD** be selected to meet the outcomes identified for the pupil, **based on reliable evidence of effectiveness**, and **SHOULD** be provided by **staff with sufficient skills and knowledge**.

Parents **SHOULD** be fully aware of the planned support and interventions and, where appropriate, plans should seek parental involvement to reinforce or contribute to progress at home.

- **Do**

The class or subject teacher **SHOULD** remain responsible for working with the child on a daily basis. Where the interventions involve group or one-to-one teaching away from the main class or subject teacher, they should still retain responsibility for the pupil. They should work closely with any teaching assistants or specialist staff involved, to plan and assess the impact of support and interventions and how they can be linked to classroom teaching. The SENCO **SHOULD** support the class or subject teacher in the further assessment of the child's particular strengths and weaknesses, in problem solving and advising on the effective implementation of support.

- **Review**

The effectiveness of the support and interventions and their impact on the pupil's progress **SHOULD** be reviewed in line with the agreed date.

**The impact and quality of the support and interventions should be evaluated, along with the views of the pupil and their parents.** This should feed back into the analysis of the pupil's needs. The class or subject teacher, working with the SENCO, **SHOULD** revise the support in light of the pupil's progress and development, deciding on any changes to the support and outcomes in consultation with the parent and pupil.

Parents **SHOULD** have clear information about the impact of the support and interventions provided, enabling them to be involved in planning next steps.

Where a pupil has an EHC plan, the local authority **MUST** review that plan as a minimum every twelve months. Schools must co-operate with the local authority in the review process and, as part of the review, the local authority can require schools to convene and hold annual review meetings on its behalf. Further information about EHC plan reviews is given in Chapter 9, Education, Health and Care needs assessments and plans.

### **The role of the SENCO in schools**

Governing bodies of maintained mainstream schools **MUST** ensure that there is a qualified teacher designated as SENCO for the school.

The SENCO **MUST** be a qualified teacher working at the school. A newly appointed SENCO **MUST** be a qualified teacher and, where they have not previously been the SENCO at that or any other relevant school for a total period of more than twelve months, they **MUST** achieve a National Award in Special Educational Needs Co-ordination within three years of appointment.

A National Award **MUST** be a postgraduate course accredited by a recognised higher education provider.

The SENCO has an important role to play in determining the strategic development of SEN policy and provision in the school. They will be most effective in that role if they are part of the school leadership team.

The SENCO has day-to-day responsibility for the operation of SEN policy and co-ordination of specific provision made to support individual pupils with SEN, including those who have EHC plans.

The SENCO provides professional guidance to colleagues and will work closely with staff, parents and other agencies. The SENCO should be aware of the provision in the Local Offer and be able to work with professionals providing a support role to families to ensure that pupils with SEN receive appropriate support and high quality teaching.

The key responsibilities of the SENCO include:

- overseeing the day-to-day operation of the school's SEN policy
- co-ordinating provision for children with SEN
- liaising with the relevant Designated Teacher where a looked after pupil has SEN
- advising on the graduated approach to providing SEN support
- advising on the deployment of the school's delegated budget and other resources to meet pupils' needs effectively
- liaising with parents of pupils with SEN
- liaising with early years providers, other schools, educational psychologists, health and social care professionals, and independent or voluntary bodies
- being a key point of contact with external agencies, especially the local authority and its support services
- liaising with potential next providers of education to ensure a pupil and their parents are informed about options and a smooth transition is planned
- working with the headteacher and school governors to ensure that the school meets its responsibilities under the Equality Act (2010) with regard to reasonable adjustments and access arrangements
- ensuring that the school keeps the records of all pupils with SEN up to date

The school should ensure that the SENCO has sufficient time and resources to carry out the role. This should include providing the SENCO with sufficient administrative support and time away from teaching to enable them to fulfil their responsibilities in a similar way to other important strategic roles within a school.

### **Funding for SEN support**

Schools **ARE** provided with resources to support pupils with SEN and disabilities. **Schools have an amount identified within their overall budget, called the notional SEN budget.** This is not a ring-fenced amount, and it is for the school to provide high quality appropriate support from the whole of its budget.

It is for schools, as part of their normal budget planning, to determine their approach to using their resources to support the progress of pupils with SEN. The SENCO, headteacher and governing body **SHOULD** establish a clear picture of the resources that are available to the school. They should consider their strategic approach to meeting SEN in the context of the total resources available, including any resources targeted at particular groups, such as the pupil premium.

This will **ENABLE** schools to provide a clear description of the types of special educational provision they normally provide and will help parents and others to understand what they can normally expect the school to provide for pupils with SEN.

Schools are not expected to meet the full costs of more expensive special educational provision from their core funding. They are expected to provide additional support which

costs up to a nationally prescribed threshold per pupil per year. The responsible local authority, usually the authority where the child or young person lives, should provide additional top-up funding where the cost of the special educational provision required to meet the needs of an individual pupil exceeds the nationally prescribed threshold.