



Education is that which liberates

# **B27 Special Educational Needs & Disability**

## **The Swaminarayan School**

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Last reviewed: October 2016/L Whittle

Next review date: October 2017

# Special Educational Needs and Disability (SEND) Policy 2016 -17

## The Swaminarayan Senior School.

The policy has been authorised by Governors, is addressed to all members of staff, and is available to parents on request. It applies to the Senior School. This policy has regard to the 2015 SEND reforms and the revised SEN Code of Practice of 2015.

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

has a significantly greater difficulty in learning than the majority of others of the same age, or has a disability which prevents or hinders him or her from making use of facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions'.

### Commitment of the School to Pupils with SEN

Policy and practice for SEN at Swaminarayan will reflect national changes for SEND and recent guidance for schools as a result of legislation: **See Appendix 1**, Regulatory Guidelines including the role on this of independent schools.

Education, Health and Care Plans (EHC) that replace Statements of SEN by 2017;

In the senior school there are no pupils with statements or EHC plans as yet. However we have a number of pupils who have been assessed and require support (Learning support) and some may go on to have JQC access arrangements. We comply with the New Code of practice in using a graduated response and Pupils and their parents are central to the decision making process about needs and provision;

Swaminarayan will take all reasonable measures to ensure that children learn to the best of their ability and to ensure that children with SEN are provided with appropriate support. This support may involve assessment and intervention from external agencies as well as school staff. During the Academic Year 2016-17 staff will develop practice that is fully reflective of the revised SEN Code of Practice. We comply with the equalities act (see appendix 2) in that

### The Responsibilities of the School

- Early intervention and graduated responses are required;
  - Evidence based intervention must be in place;
- Provision plans must be accurate and up to date with clear expected outcomes outlined;
  - Progress must be tracked and reviewed, at least termly;
- Parents must be informed if an Individual Provision Plan is being made.

To ensure that reasonable adjustments (refer below) are made for pupils who are on an IEP or EHS.

- If a pupil is identified as requiring specialist provision that won't be covered by the LA then the school may reserve the right to charge for the provision. See Appendix 1.

### At Swaminarayan this means that:

Each Teacher of Tutor groups will meet with the SENCO to discuss the needs of their pupils. Further pupil information and advice as a result of assessments may be discussed with heads of department such as in English and their teachers. This may involve them in particular interventions (for example, pupils with a Specific Learning difficulty) and support for them to maintain Quality First Teaching (QFT) and differentiation.

Assessments are made as soon as possible by the SENCO or an external specialist, after attainment data and observations have indicated a potential Cause for Concern .

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Interventions are planned, delivered, monitored and recorded according to school policy for teaching and learning and performance management;

Every child who is named on the SEN Register has an Individual Provision Map which clearly indicates the Assess, Plan, Do, Review cycle required for each child. ;

School based reviews of the child's progress with parents take place once a term but SENCO and informal Tutors reviews take place every half term;

Team Around the Child (TAC) reviews take place within the year and involve school and external professionals. TAC reviews can incorporate reviews for Child Protection and Safeguarding issues as well as Occupational Therapy, Speech and Language and Sensory Impairment, for example.

School and TAC reviews all contribute to the EHC Annual review.

**The main categories for describing Broad Areas of Special Educational Need are as follows:**

Communication and Interaction

Cognition and Learning

Social, emotional and mental health difficulties

Sensory and/or physical needs

IPM's use broad tracking analyses as well as more specialised assessments and feed into the School Provision Map. The SPM shows the frequency and categorisation of SEN for the whole school.

All staff contribute to the school's SEN and Inclusion policy and practice, for example:

**The senior school SENCO**

Co-ordinates provision for children with SEN;

Liaises with the relevant teacher where a looked after pupil has SEN to inform LAC reviews;

Advises on the graduated approach to providing SEN support;

Liaises with parents of pupils with SEN and advises on assessment and referrals if an outside agency is needed.

Assesses pupils where appropriate (for example for SPLD)

The SENCO is a key point of contact with parents and outside agencies mainly the Educational Psychologists. The Parents go through their NHS Doctor for referral for CHAMS, speech therapy or Physiotherapy etc, or pay privately for interventions where support services are not available.

Liaises with Prep school staff regarding SEN pupils transferring to the senior school ensuring all tracking of results, (CAT's and others) assessment and interventions are passed on. This can in some cases help in "painting a picture of pupils difficulties" when applying for Access arrangements and informing senior school teachers of strengths and difficulties.

Liaises with potential next providers of education to ensure a pupil and their parents are informed about options and a smooth transition is planned into the sixth form or Further Education.

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Access Arrangements can be applied for in year nine. This is done by the SENCO and The Ruth Birnbaum practice of Educational Psychologists. All JQC access arrangement details (Form \* A,B and C parts ) are locked in a filing cabinet and inspected once a year by JQC. See Access Arrangement policy and Equalities Act (Appendix 3)

The SENCO works with the head teacher and school governors to ensure that the school meets its responsibilities under the Equality Act (2010) and SEN and Disability Code of Practice (2015) with regard to reasonable adjustments and access arrangements (Reasonable adjustments for disabled pupils - 2015), including but not limited to;

- the provision of auxiliary aids and services, to ensure that disabled children and young people are not at a substantial disadvantage compared with their peers. This duty is 17 anticipatory – it requires thought to be given in advance to what disabled children and young people might require and what adjustments might need to be made to prevent that disadvantage.
- adjustments to procedures, criteria and practices and by the provision of auxiliary aids and services.
- Publishing accessibility plans setting out how to increase access for disabled pupils to the curriculum, the physical environment and to information.

Ensures that the school keeps the records of all pupils with SEN up to date. Tracking and pupils notes are passed on from the Prepschool or through to Secondary- transfer and beyond.

### **The Subject teacher**

Teachers ensure that children and young people with SEN engage in the activities of the school alongside pupils who do not have SEN.

Teachers attend to the social and emotional needs as well as the academic needs of children in their class, so that all children feel included and empowered. Some children with SEN may need support to communicate clearly, manage their feelings or make friends, for example. If the child or student is comfortable then he or she has the foundation for accepting challenge which is essential for progress.

Teachers are expected to provide 'quality first teaching' which is relevant for all abilities through differentiation. Differentiation should be made for lesson content and process; for example children may be given text at different reading levels or children's writing can demonstrate different levels of punctuation. At the same time attention can be paid to which children can partner an SEN child productively or where a child is better seated.

Teachers have high expectations for every pupil, whatever their prior attainment. Teachers use appropriate assessment to set targets which are deliberately ambitious. Potential areas of difficulty are identified and addressed at the outset. Lessons are planned to address potential areas of difficulty and to remove barriers to pupil achievement.. Pupils have opportunity to overlearn with appropriate resources and differentiation..

Teachers will be supported in their SEN responsibilities by an Inset programme led by the SENCO and external specialists.

### **Parents and Children**

Parents have a significant role in helping to identify SEN and in supporting children with additional need. At the 'Initial Concern' stage parents will communicate with the pupils tutor about their child's strengths and difficulties and can use recommendations from the teacher about how they can maximise the child's learning at home. If children are assessed as having an SEN then more specific provision may be needed, perhaps an intervention programme at school or the input of an external specialist. It may be necessary, as the school does not have full access to Brent's Local Offer, for parents to meet the cost of external assessment and provision.

Parents of pupils with an IEP will have this discussed at the parents' meetings throughout the year and parents will be consulted on an annual basis, or as changes need to be made.

Children's views about their needs and progress are an essential part of the SEN process and they should be supported to participate fully in this. For example, they will be consulted about their experience of learning and can attend termly and annual reviews and TAC meetings. The SENCO will know each child with an SEN in order to encourage and motivate academic, emotional and social progress.

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### **Review Process**

Annual reviews of the pupils who are on a statement (EHS) will be carried out by the SENCO in conjunction with the LA in order to assess the progress of the pupils, and to make any necessary amendments.

Those pupils who are identified as SEN (but not having an EHS) or EAL will have their IEP's reviewed at times throughout the year with the SENCO and class teachers to make necessary amendments to pupils' targets.

This policy is to be reviewed annually, or when there are changes made in the national standards.

### Further Reading

SEN and Disability Code of Practice, 0-25 years – 2015

Reasonable adjustments for disabled pupils – 2015

Equality Act – 2010

See Access Arrangements Policy 2016-17.

To be reviewed September 2016

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## Appendix 1

# Regulatory Guidelines including the role on this of independent schools.

The following information has been taken from the 'SEN and Disability Code of Practice, 0-25 years 2015.'

Changes to the arrangements for Special Educational Needs come into force from September 2015 with the implementation of provisions from the Children and Families Act 2014 and the SEN and Disability Code of Practice, 0-25 years 2015 (SEND Code 2015).

From 1st September 2014, there are to be no new statements of SEN (except for those already in the pipeline) and new Education, Health and Care Plans (EHC plans) will be rolled out instead. There is to be a three and a half year period for local authorities (LAs) to transition arrangements for children with existing statements of SEN to EHC plans. The two systems will therefore be running side-by-side for several years. For independent schools much remains as before. The definition of SEN remains the same and schools can still request statutory assessment from LAs when this appears necessary.

Where a Local Authority (LA) concludes that a child with a statement of special educational needs or EHC plan should be placed into an independent school and names the school in the statement/EHC plan, the LA retains legal and financial responsibility for ensuring that the provision specified in the child's statement/EHC plan is made. This will include paying the fees charged by the independent school. The day to day practical responsibility of making provision rests with the school.

If an LA is satisfied that the provision set out in a statement/EHC plan can be made more economically in the state sector, it may decline to name an independent school in a statement/EHC plan. This does not prevent parents from making their own arrangements to pay for a place at an independent school of their choice, so long as the LA is satisfied that the arrangements are suitable. From September 2014, LAs have discretion to make payments to assist parents to make their chosen independent school suitable. This practice was previously common but not underpinned by law. Again, inspectors will need to check that the pupil is being properly provided for.

It is not necessary for a school to obtain the consent of the DfE to accept a pupil with a statement/EHC plan.

The statements/EHC plans of all pupils in this category, whether placed by parents or the LA, must be reviewed annually and the required curriculum must be provided as set out in the statement/EHC plan (including the full National Curriculum, if this is specified). It is the responsibility of the LA and not the school to review the statement/EHC plan, but it is good practice for the school to check that the review takes place and the school must co-operate with the LA in the review process.

As a general principle, many of the requirements of the SEND code 2015 do not have direct application to independent schools other than the requirement to provide suitably for pupils with statements/EHC plans. However, it is good practice for schools to (i) provide individual education plans (IEPs) or otherwise record the progress of and support for any pupils with significant learning difficulties or disabilities, and (ii) ensure that their admissions, discipline and other procedures (for example, arrangements for school trips or examinations) take account of pupils' needs. The SEND Code 2015 also contains advice and guidance concerning Equality Act duties, which will be useful to independent schools.

The exception to the general principle is that independent early years providers that are funded by an LA and any independent specialist schools which choose in future to be approved under section 41 of the Children and Families Act (Section 41 schools) are obliged to have regard to the SEND Code 2015.

(a) As regards early years providers, the relevant provisions of the SEND Code 2015 largely replicate the requirements of the EYFS. To the extent that there are differences, transition arrangements currently allow providers a year to move to the new ways of working. See policy. Assessment principles

(b) As regards Section 41 schools, it is important to note that this does not automatically apply to all specialist providers; it is an approved status for which schools meeting prescribed criteria can apply. However, as at September 2014, no schools within

**For inspection: ISI's** remit are known to have opted for Section 41 status. Inspectors will need to double check that remains the position when inspecting schools registered with a SEN specialism.

Those with an EHC have the option of having a personal budget to fulfil the plan;

Education, health and care Plans(EHC) replace Statements of SEN

The system supports children and young people from 0-25 years in Education or Training.

Those with an EHC have the option of having a personal budget to fulfil the plan; Schools have access to resources maintained by Education Authorities-the local offer;

There is an increased emphasis on a personal approach, with improved preparation for adulthood.

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## Appendix 2

### The equality Act 2010 definition of disability.

Generally impairments have to meet statutory requirements set out in section 6 and schedule 1 to the Equality Act 2010 and associated regulations.

The Equality Act 2010 definition of disability is usually considered cumulatively in terms of:

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- Identifying a physical or mental impairment,
  - Looking into adverse effects and assessing which are substantial;
  - Considering if substantial adverse effects are long term;
  - Judging the impact of long term adverse effects on normal day to day activities.
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Statutory guidance on the Equality Act definition of disability has been produced by the Office of Disability Issues (within the Department of work and pensions) to help better understand and apply this definition – <http://odi.dwp.gov.uk/docs/wor/new/ea-guide-pdf>

The clear starting point in the statutory guidance is that disability means **‘limitations going beyond the normal differences in ability which may exist among people.’**

**‘Substantial’** means ‘more than trivial.’ Substantial adverse affects can be determined by looking at the effects of the person with the impairment, comparing those to a person without the impairment, to judge if the difference between the two is more than minor or trivial

**‘Long Term’** means that the impairment has existed for at least 12 months, or is likely to do so.

**‘Normal day to day activities’** could be determined by reference to the illustrative, non – exhaustive list of factors in page 47-51 of the statutory guidance relating to the equality Act 2010. **(Study and education related activities are included in the meaning of ‘day’ to ‘day’ activities)**

The guidance from the Office of Disability Issues referred to above illustrates the factors which might reasonably be regarded as having a substantial adverse effect on normal day to day activities. Factors that might be expected not to have a substantial adverse effect are also provided.

**Factors that might reasonably be expected to have a substantial adverse effect include:**

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- persistent and significant difficulty in reading and understanding written material where this is in the person's native language ,for example because of a mental impairment, a learning difficulty or multi-sensory impairment;
  - persistent distractibility or difficulty in concentrating;
  - difficulty understanding or following simple verbal instructions.
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**Factors that might reasonably be expected not to have a substantial adverse effect include:**

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- minor problems with writing or spelling;
  - inability to fill in a long, detailed, technical document, which is in the person's native language without assistance;
  - inability to concentrate on a task requiring application over several hours.
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## Appendix 3

### Examples of reasonable adjustments for disabled candidates

- A candidate with Dyslexia needs to use a coloured overlay and a word processor, and requires 25% extra time. The use of a yellow coloured overlay is a reasonable adjustment for the candidate since it helps him to improve his reading accuracy. The use of a word processor is a reasonable adjustment since it is his normal means of producing written work within the centre and is appropriate to his needs.

The candidate has been assessed by a specialist assessor using an up to date nationally standardised test. The assessment shows that the candidate has a substantial and long term impairment as his working memory score is in the below average range. The candidate has a standardised score of 79. The centre can supplement the specialist assessor's report (Section C of Form 8) with a picture of need (Section A of Form 8) showing 25% extra time as his normal way of working within the centre. The application of 25% extra time is a reasonable adjustment and the centre processes an application on-line using access arrangement online.

- A candidate with ADD (Attention Deficit Disorder) has persistent difficulty concentrating and poor working memory. Supervised rest breaks and the use of prompter, who may need to physically show him where on a page he had been working in order to re-start his work, would be reasonable adjustment.
- A candidate has Asperger's Syndrome which is confirmed by a letter from a consultant paediatrician. He has persistent and significant difficulties with his handwriting which is poor but not illegible. He is unable to complete mock English, Geography and History papers within the time allowed. In other subjects he finishes the mock papers before the end of the test. The centre processes an on-line application of 25% extra time on account of his impairment which is having a substantial and adverse effect in those GCSE subjects with extended writing. Without the application of 25% extra time those subjects the candidate would be at a substantial advantage.
- A candidate with a severe vision impairment requires 50% extra time in order to effectively access and modified enlarged papers ordered for her. In papers involving complex layout and diagrams she also requires the use of a practical assistant and a reader to work under her instruction to locate relevant information. These arrangements are approved by the awarding body as the candidate has a substantial and long term impairment.
- A candidate is profoundly deaf and uses BSL as his normal way of working within the centre. The candidate will be provided with modified language papers (where the paper has not been modified at source), a live speaker for pre-recorded components and a Sign Language Interpreter. These are reasonable adjustments for the candidate. The centre orders modified language papers, where available, using Access arrangements online.
- A candidate with profound Speech, Language and Communication Needs (SLCN) is allocated a reader. An on-line application for a reader was approved as the candidate has a substantial and long term impairment resulting in a below average reading comprehension score – a standardised score of 72. The candidate in light of his substantial difficulties, is

presented with a number of prompt cards – “please repeat the instructions”, “please read that again”, “please read back my answers”. The use of a reader and prompt cards (placed on the candidate’s desk and open to scrutiny by the JQC Centre Inspection Service) would be responsible adjustments for this candidate.

the candidate also has persistent and significant difficulty with memory of spoken language and needs repetition. Extra time of 25% is required as the process of reading will be substantially slower. Without the application of 25% extra time the candidate would be at a substantial disadvantage. The centre awards the candidate 25% extra time and shows the needs for the arrangements within Section A Form 8