



Special Educational Needs (SEND) Policy

This is a policy to promote the successful inclusion of children with special educational needs and disabilities and has due regard to all relevant legislation including, but not limited to, the following:

- Local Government Act 1974
- Disabled Persons (Services, Consultation and Representation) Act 1986
- Children Act 1989
- Education Act 1996
- Education Act 2002
- Mental Capacity Act 2005
- Equality Act 2010
- The Equality Act 2010 (Disability) Regulations 2010
- Children and Families Act 2014
- The Special Educational Needs (Personal Budgets) Regulations 2014
- The Special Educational Needs and Disability (Amendment) Regulations 2015
- The Special Educational Needs and Disability (Detained Persons) Regulations 2015
- The UK General Data Protection Regulation (GDPR)
- Data Protection Act 2018
- Health and Care Act 2022

This policy has due regard to statutory and non-statutory guidance, including, but not limited to, the following:

- DfE (2015) 'Special educational needs and disability code of practice: 0 to 25 years'
- DfE (2015) 'Supporting children at school with medical conditions'
- DfE (2018) 'Working Together to Safeguard Children 2023'
- DfE (2018) 'Mental health and wellbeing provision in schools'
- DfE (2021) 'School Admissions Code'
- DfE (2023) 'Keeping children safe in education 2023'
- Equality and Human Rights Commission (EHRC) (2015) 'Reasonable adjustments for disabled children'

This policy operates in conjunction with the following school policies:

- Admissions Policy
- Equality Policy
- Data Protection Policy
- Records Management Policy
- Child Protection and Safeguarding Policy
- Mental Health, Inclusion and Behaviour Policy
- Complaints Procedures Policy
- Accessibility Policy

Information

The named person responsible for managing the provision for SEND at Alfreton Nursery School is the Headteacher **Emma Haywood**

The named Governor for SEND is **Gill O'Hagan** however the Governing Body as a whole is responsible for making provision for children with special educational needs and disabilities.

The contents of the policy reflect the SEND Code of Practice 2015, 0-25 guidance. It has been shared with the school governing body and will be reviewed regularly.

An annual SEND Information Report will be shared with parents, carers and the governing body and published on the school website.

Every teacher is a teacher of every child or young person including those with SEND. Our school adopts a 'whole school approach' to special educational needs which involves all staff adhering to a model of good practice. Our school staff are committed to identifying and providing for the needs of all children in a wholly

inclusive environment. The Headteacher, SMT (Senior Management Team) and governors oversee the school's policy for inclusion and are responsible for ensuring that it is implemented effectively through school. The school curriculum is regularly reviewed to ensure it promotes the inclusion of all children, both in and out of the classroom.

Aims

At our school, we are all committed to offering an inclusive curriculum to ensure the best possible progress for all our children whatever their needs or abilities, race or gender. Not all children with disabilities have special educational needs and not all children with SEN meet the definition of disability, but this policy covers all these children. Our policy promotes consistency of approach and puts the rights of the child at the heart of the process. All our children will have the right to a broad and balanced curriculum, to be valued, have their self-esteem promoted and the aspirations and expectations for all children with SEND raised. To help safeguard our more vulnerable children we work to promote independence and build resilience.

In September 2020 we were reaccredited by Inclusion Quality Mark (IQM) as a Centre of Excellence recognising how the school showcases good practice as part of our Initial Teacher Training offer.

Our children with SEND are taught with their peers in mainstream nursery by teachers and Nursery Nurses studying the EYFS curriculum appropriate for their age and abilities.

We believe that a close working partnership with parents/carers is vital to ensure that:

- information is shared with everyone
- early and accurate identification and assessment of SEN leading to appropriate intervention and provision
- social, emotional and academic progress is made
- contact with parents/carers takes place as is relevant

Objectives

- to identify and monitor children with special educational needs and disabilities from the earliest possible stage and ensure that their needs are met
- to ensure that all children with special educational needs and disabilities join in with all the activities of the school
- to remove barriers to participation and learning
- to ensure that all children make the best possible progress
- to ensure that parents/carers are informed and involved effectively with their child's needs and provision and that effective communication methods between home and school are used

- to ensure that children are appropriately able to express their views and are fully involved with decisions which affect their education
- to promote effective partnership and involvement with outside agencies when appropriate
- to plan an effective curriculum to meet the needs of children with special educational needs and disabilities
- To work within the guidance provided in the SEND Code of Practice 2015
- To provide support and advice for all staff, particularly those working closely with SEND children
- To operate a “whole child, whole school” approach to the management and provision for special educational needs

The success of the school’s SEND Policy will be judged against the aims and objectives set out above. An annual review by the SMT along with Governing Body’s Annual Report will ensure the successful implementation of the policy and the effectiveness of the provision made. The range of support in the school each year in response to identified need is detailed in our Provision Map.

The Governing Body has agreed with the LA admissions criteria which do not discriminate against children with SEND and its admissions policy has due regard for the guidance in the Code of Practice. Parents/Carers seeking the admission of a child with mobility difficulties are advised to approach the school well in advance if possible so that relevant consultations can take place. The school also has an Accessibility Plan.

CPD for all staff is made available and encouraged, with relevant feedback being given as required.

Definition and Identifying Special Educational Needs

A child has SENs if he/she has a learning difficulty or disability which causes for SEN provision to be made for him/her.

- ❖ A learning difficulty/disability is a **significantly greater difficulty in learning than the majority of others of the same age.**
- ❖ SEN provision means **educational provision that is additional to, or different from,** that made generally for others of the same age in a mainstream setting in England.

- **Disability:** Many children who have SEN may have a disability under the Equality Act 2010 – that is ‘...a **physical or mental impairment that has a long term and substantial adverse effect on their ability to carry out normal day-to-day activities**’. This definition includes sensory impairments such as those affecting sight or hearing, and long-term health conditions such as asthma, diabetes, epilepsy and cancer.

Safeguarding

The school recognises that evidence shows children with SEND are at a greater risk of abuse and maltreatment, so will ensure that staff are aware that children with SEND:

- Have the potential to be disproportionately impacted by behaviours such as bullying.
- May face additional risks online, e.g. from online bullying, grooming and radicalisation.
- Are at greater risk of abuse, including child-on-child abuse, neglect, and sexual violence and harassment.

The school recognises that there are additional barriers to recognising abuse and neglect in this group of children. These barriers can include, but are not limited to:

- Assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's condition without further exploration.
- These children being more prone to peer group isolation or bullying (including prejudice-based bullying) than other children.
- The potential for children with SEND or certain medical conditions being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs.
- Communication barriers and difficulties in managing or reporting these challenges.
- A different cognitive understanding and being unable to understand the difference between fact or fiction in online content.

The headteacher and governing board will ensure that the school's Child Protection and Safeguarding Policy reflects the fact that these additional barriers can exist when identifying abuse. When using physical intervention and reasonable force in response to risks presented by incidents involving children with SEND, staff will have due regard for the procedures outlined in the school's Physical Intervention Policy.

Care will be taken by all staff, particularly those who work closely with children with SEND, to notice any changes behaviour or mood, or any injuries, and these indicators will be investigated by the DSL in collaboration with the SENCO.

School staff will be particularly alert to the potential need for early help for children with SEND and additional needs.

The governing board and headteacher will ensure that children with SEND are taught about how to keep themselves and others safe including online. The school will ensure that teaching of safeguarding is tailored to the specific needs and vulnerabilities of children with SEND.

Any reports of abuse involving children with SEND will involve close liaison between the DSL and the SENCO

Special Educational Provision Means:-

Educational provision which is additional to, or otherwise different from, the educational provision made generally for children in schools maintained by the LA, other than special schools in the area. The purpose of identification is to work out what action the school needs to take, not fit a child into a category. At our school we identify the needs of children by considering the needs of the whole child, which includes not just the SEND of the child.

The area of special need will be identified as either:

Communication and Interaction

This includes children with speech and language delay, impairments or disorders, specific learning difficulties such as dyslexia, dyscalculia, dysgraphia and dyspraxia, hearing impairment, and those who demonstrate features within the autistic spectrum.

Cognition and Learning

This includes children who demonstrate features of moderate, severe or profound learning difficulties or specific learning difficulties such as dyslexia, dyscalculia, dysgraphia or dyspraxia.

Social, Mental and Emotional Health

This includes children who may be withdrawn or isolated, disruptive or disturbing, hyperactive or lack concentration.

Sensory and/or Physical Needs

This includes children with sensory, multi-sensory and physical difficulties.

The following are not considered to be SEN but they may impact on progress and attainment;

- Disability (if reasonable adjustments can be made Code of Practice 0-25)
- Attendance and punctuality
- Health and Welfare
- EAL
- Being in receipt of Child Premium Grant
- Being a Looked After Child
- Being a child of a Serviceman/woman

Behaviour difficulties do not necessarily mean that a child or young person has a SEN and should not automatically lead to a child being registered as having SEN.

The school will consider whether additional pastoral support and attention for children with SEND is required, alongside ensuring that any appropriate support for communication is in place.

EAL- English as an Additional Language

The school is aware that there may be children at the school for whom English is not their first language and appreciates that having EAL is not equated to having learning difficulties. At the same time, when children with EAL make slow progress, it will not be assumed that their language status is the only reason; they may have SEND.

The school will consider the child within the context of their home, culture and community and look carefully at all aspects of a child's performance in different subjects to establish whether the problems they have are due to limitations in their command of English or arise from SEND.

A Graduated Approach to SEN Support

Our school is committed to early identification of special educational needs and adopts a graduated response to meeting these in line with the Code of Practice. All children are treated as individuals and the class teacher, alongside other support staff, plan an appropriately differentiated curriculum for our children with additional needs to ensure high quality teaching and learning with effective knowledge of the subject, support and resources. The quality of teaching for all children is regularly and carefully reviewed.

Teachers understanding of strategies to identify and support vulnerable children and their knowledge of the SEND they most frequently encounter are also reviewed regularly and relevant training is identified and undertaken. This is also the case with support staff. A range of evidence is collected through our school assessment and monitoring arrangements: if this suggests the learner is not making the expected progress, the class teacher will consult with the SENDCo to decide whether additional and/or different provision is necessary.

There is no need for children to be registered or identified as having special educational needs unless the school is taking additional or different action. However, the school does keep a record of children who are involved in a variety of intervention programmes within school to enhance or boost confidence and competence which do not constitute individual IEPs under the Code of Practice.

Parents are kept fully informed and are involved in these programmes as appropriate. Children who have disabilities but no special educational needs will be recorded on the school's medical register.

Quality First Teaching

- Any children falling significantly outside the range of expected academic achievement will be monitored

- Once identified they will be closely monitored in order to gauge their level of learning and possible difficulties
- The child's class teacher will take steps to provide differentiated learning and opportunities that will support their academic progress. Our school Provision Map will be used
- Staff will consult the SENDCo as needed for support and advice. An observation may be appropriate
- When moving to a new year group information/paperwork/provision is shared with the new class teacher and teaching assistant
- Parents will be kept fully informed and encouraged to share relevant information

SEN Support

If a child is deemed to have SEND, it will be discussed with parents/carers and the child added to our SEND register. The aim of this formal identification is to ensure that the child receives effective provision and barriers to learning are removed. The support provided consists of a four part process: Assess, Plan, Do, Review.

This cycle enables provision to be monitored, impact assessed and different interventions put in place as the needs of the child change.

Access

Children's needs will be assessed using class teachers' assessments, knowledge of the child, previous progress and attainment, views of parents/carers, children and outside agencies.

Plan

Planning will involve consultation between teacher, SENDCo, parents/carers, children and outside agencies to agree interventions and support required, along with the impact on progress, development and/or behaviour that is expected and a clear date for review.

Do

The class teacher /support staff will work with the child on a day to day basis. 1-1 support and small group work will be implemented and targets set. Support and assessment of a child's need will be monitored by the class teacher and SENDCo along with teaching support staff. Advice from external agencies will be sought as appropriate.

Review

A child's progress will be regularly reviewed and the impact of support monitored. The quality of support will also be regularly reviewed and monitored. A child's views and those of his/her parents/carers will be taken into account. Support and outcomes

will be revised based on the child's progress and development and any necessary amendments made.

Provision/action that is additional to or different from that available to all children will be recorded in an Individual Educational Plan (IEP). This will be written by our SENDCo in conjunction with the nursery teacher, child (as appropriate), parents/carers and SEND Nursery Nurse. It may also involve consultation and advice from external agencies.

The IEP will set specific, measurable, achievable, realistic and time-related targets for the child and will detail:

- exit criteria targets
- short-term targets
- teaching strategies

The IEP will be reviewed at least every six months, more often if necessary, and the outcomes recorded. Children will participate fully in the review process according to their age and abilities. Parents/carers will also be invited to participate in the target-setting and review process.

A child exiting the SEN register will still be regularly monitored and progress assessed.

EHC needs assessments and plans

The school recognises that, despite having taken relevant and purposeful action to identify, assess and meet the SEND of a child, some children may not make expected levels of progress. In these cases, the school will consult with parents/carers and consider requesting an EHC needs assessment.

The purpose of an EHC plan is to make special educational provision to meet the SEND of the child, to secure the best possible outcomes for them across education, health and social care and prepare them for adulthood.

As part of the EHC needs assessment, the school will meet its duty by:

- Responding to any request for information as part of the EHC needs assessment process within six weeks from the date of the request, unless special exemptions apply as outlined in the SEND code of practice.
- Providing the LA (Derbyshire) with any school-specific information and evidence about the child's profile and educational progress.
- Gathering any advice received from relevant professionals regarding their education, health and care needs, desired outcomes, and any special education, health and care provision that may be required to meet their identified needs and achieve desired outcomes.

If, following the assessment, the LA decides not to issue an EHC plan, the school will be provided with written feedback collected during the EHC needs. It will use this

information to contribute to the graduated approach and inform how the outcomes sought for the child can be achieved through further special educational provision made by the school and its partners.

Where the LA decides to issue an EHC plan, it must consult the prospective school by sending a copy of the draft plan and consider their comments before deciding whether to name it in the child's EHC plan. The school will meet its duty to provide views on a draft EHC plan within 15 days.

The school will admit any child that names the school in an EHC plan and will ensure that all those teaching or working with a child named in an EHC plan are aware of the child's needs and that arrangements are in place to meet them.

Reviewing EHC plans

The school will ensure that teachers monitor and review the child's progress during the year and conduct a formal review of the EHC plan at least annually.

The school will:

- Cooperate with the LA and relevant individuals to ensure an annual review meeting takes place, including convening the meeting on behalf of the LA if requested.
- Ensure that the appropriate people are given at least two weeks' notice of the date of the meeting, such as representatives from the LA SEN, social care and health services.
- Seek advice and information about the child prior to the annual review meeting from all parties invited, and send any information gathered to all those invited, at least two weeks in advance of the meeting.
- Ensure that sufficient arrangements are put in place at the school to host the annual review meeting.
- Contribute any relevant information and recommendations about the EHC plan to the LA, keeping parents involved at all times.
- Lead the review of the EHC plan to create the greatest confidence amongst children and their parents.
- Prepare and send a report of the meeting to everyone invited within two weeks of the meeting, setting out any recommendations and amendments to the EHC plan.
- Clarify to the parents/carers that they have the right to appeal the decisions made regarding the EHC plan.
- Where possible for CiC, combine the annual review with one of the reviews in their care plan, in particular the personal education plan (PEP) element.
- Where necessary, provide support from an advocate to ensure the child's views are heard and acknowledged.
- Where necessary, facilitate support from an advocate to ensure the parent's views are heard and acknowledged.

- Review each child's EHC plan to ensure that it includes the statutory sections outlined in the 'Special educational needs and disability code of practice: 0 to 25 years', labelled separately from one another.

If a child's needs significantly change, the school will request a re-assessment of an EHC plan at least six months after an initial assessment. Thereafter, the governing board or headteacher will request the LA to conduct a re-assessment of a child whenever they feel it is necessary.

Further information about EHC Plans can be found via the SEND Local Offer:

www.derbyshire.gov.uk/SEND

The **SEND Local Offer** is a resource which is designed to support children and young people with special educational needs and/or disabilities and their families. Further information is also available on <https://localoffer.derbyshire.gov.uk/#!/directory>

Supporting successful preparation for adulthood

The school is aware that being supported towards greater independence and employability can be life-transforming for children with SEND. It recognises the importance of starting early, centring on pupil aspirations, interests and needs, and will ensure that children are supported at developmentally appropriate levels to make a smooth transition to what they will be doing next, e.g. moving on to primary education.

The school will:

- Seek to understand the interests, strengths and motivations of children and use this as a basis for planning support around them.
- Support children so that they are included in social groups and develop friendships.
- Ensure that children with SEND engage in the activities of the school together with those who do not have SEND, and are encouraged to participate fully in the life of the school and in any wider community activity.
- Engage with primary schools, as necessary, to help plan for any transitions.

Supporting Children in School with Medical Conditions

Our school recognises that children with medical conditions should be properly supported so that they have full access to education, including school trips, physical education, and outdoor activities. Due regard is paid to the Equality Act of 2010 and SEND Code of Practice 2015 where a child may also be disabled and/or have an EHC Plan/Statement. Arrangements are put in place to support individual children with their specific medical needs/conditions. Meetings are held between parents/carers,

school and relevant medical professionals. Where appropriate Health Care Plans are drawn up and the appropriate staff receive regular training. We work in accordance with the Supporting Children at School with Medical Conditions published by the DFE December 2015, see also the School's First Aid & Administration of Medicines Policy (on the School's website).

Training and Resources

The school makes an annual audit of training needs for all staff taking into account school priorities as well as personal professional development. Particular support will be given to ECTs and other newly appointed members of staff. The Headteacher prioritises the training needs of the staff and resources which need to be made available.

Other Professionals/Outside Agencies

Our school has a strong working relationship and links with external support services, who play an important part in helping our school identify, assess and make provision for children with special educational needs.

- the school receives regular visits from the nominated Educational Psychologist for the area
- in addition the school may seek advice from specialist advisory teaching services for children with sensory impairment or physical difficulties
- liaison meetings with local schools on transfer, are held to ensure a smooth start to school.
- speech and language therapists regularly advise/visit/work with children with significant speech and language difficulties
- multi-agency liaison meetings are held as appropriate to ensure effective collaboration in identifying and making provision for vulnerable children, and communication is maintained between times
- SSSEN can be involved with individual children and advice sought as required
- Physiotherapists and Occupational Therapists: referrals for advice and support can be made to this service
- Health – Health Visitor and Paediatricians
- CAMHS – Child, Adolescent and Mental Health Service
- Social Services
- Parent Partnership – school will provide information about this service as required

Accessibility

The school layout facilitates reasonable access for adults and children with disabilities to all areas. Doors are sufficiently wide enough for wheelchair access, slopes on paths allow access to the playground.

Dealing with Complaints

The schools' complaint procedures are set out in the relevant policy. Your child's nursery teacher will work closely with parents/carers at all stages in his/her education and should be the first port of call in case of any difficulty. Parents of children with SEN or disabilities whose concerns cannot be resolved by the usual school procedures can request an independent disagreement resolution. The school will make further information about this process available on request.

Use of data and record keeping

All information about children will be kept in accordance with the school's Data Protection Policy.

The school's records will:

- Record details of additional or different provision made under SEND support, with accurate information to evidence the SEND support that has been provided over the pupil's time in the school, as well as its impact, e.g. through the use of provision maps.
- Include details of SEND, outcomes, action, agreed support, teaching strategies and the involvement of specialists, as part of its standard management information system to monitor the progress, behaviour and development of all children.
- Maintain an accurate and up-to-date register of the provision made for children with SEND.
- Be kept securely so that unauthorised persons do not have access to it, so far as reasonably practicable.

The school keeps data on the levels and types of need within the school and makes this available to the LA and Ofsted.

Confidentiality

The school will not disclose any EHC plan without the consent of the child's parents/carers, except for specified purposes or in the interests of the child, such as disclosure:

- To a SEND tribunal when parents appeal, and to the Secretary of State under the Education Act 1996.
- On the order of any court for any criminal proceedings.
- For the purposes of investigations of maladministration under the Local Government Act 1974.

- To enable any authority to perform duties arising from the Disabled Persons (Services, Consultation and Representation) Act 1986, or from the Children Act 1989 relating to safeguarding and promoting the welfare of children.
- To Ofsted inspection teams as part of their inspections of schools and LAs.
- To the headteacher (or equivalent position) of the setting at which the child is intending to start their next phase of education.

Bullying

Please follow link to our school policy regarding Behaviour.

See also School's SEND Information Report (on the School Website)