



Rawmarsh and Arnold Nursery School Federation

Special Educational Needs and Disabilities (SEND) Policy

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Statement of intent

Rawmarsh and Arnold Nursery School Federation believes that all children are entitled to an education that enables them to achieve their best, become confident individuals living fulfilling lives, and make a successful transition into adulthood.

This policy outlines the framework the school will use in meeting its duties, obligations and principal equality values in providing an appropriate high-quality education for children with SEND.

Through successful implementation of this policy, the school aims to eliminate discrimination and promote equal opportunities.

The school will work with the LA, or equivalent, in ensuring that the following principles underpin this policy:

- The involvement of children and their parents in decision-making.
- The early identification of children's needs and early intervention to support them.
- A focus on inclusive practice and removing barriers to learning.
- Collaboration between education, health and social care services to provide support.
- High-quality provision to meet the needs of children with SEND.
- Greater choice and control for children and their parents over their support.
- Successful preparation for adulthood, including independent living and employment.

Under the Equality Act 2010, a disability is a physical or mental impairment which has a long-term and substantial adverse effect on a person's ability to carry out normal day-to-day activities. For the purposes of this policy, a child is defined as having SEND if they have:

- A significantly greater difficulty in learning than most others of the same age.
- A disability or health condition that prevents or hinders them from making use of educational facilities used by peers of the same age in mainstream settings.
- Special educational provision that is additional to or different from that made generally for other children or young people of the same age by mainstream settings.

1. Legal framework

This policy 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 2018'
- DfE (2018) 'Mental health and wellbeing provision in schools'
- DfE (2021) 'School Admissions Code'
- DfE (2022) 'Keeping children safe in education 2022'
- Equality and Human Rights Commission (EHRC) (2015) 'Reasonable adjustments for disabled children'

This policy operates in conjunction with the following school policies:

- Admissions Policy
- Child Equality, Equity, Diversity and Inclusion Policy
- Data Protection Policy
- Records Management Policy
- Social, Emotional and Mental Health (SEMH) Policy
- Supporting Children with Medical Conditions Policy
- Child Protection and Safeguarding Policy
- Behaviour Policy
- Complaints Procedures Policy
- Accessibility Policy

2. Objectives

Every school is required to identify and address the SEND of the children that they support. Through the implementation of this policy, the school will:

- Use their best endeavours to make sure that children with SEND get the support they need to access the school's broad and balanced curriculum.
- Ensure that children with SEND engage in the activities of the school alongside children who do not have SEND wherever possible.
- Ensure there is high-quality provision to meet the needs of children with SEND, with specific focus on inclusive practice and removing barriers to learning.
- Fulfil its statutory duties towards children with SEND in light of the SEND code of practice.
- Promote disability equality and equality of opportunity, fulfilling its duties under the Equality Act 2010 towards individual disabled children.
- Make reasonable adjustments, including the provision of auxiliary aids and services, to ensure that disabled children are not at a substantial disadvantage compared with their peers.
- Designate a teacher to be responsible for coordinating SEND provision, i.e. the SENCO.
- Inform parents when they are making special educational provision for their child.
- Review, prepare and publish important information about the school and its implementation of relevant SEND policies, including:
 - Accessibility plans setting out how they plan to increase access to the curriculum and the physical environment for children with SEND.
 - Information about the admission arrangements for children with SEND and the steps taken to prevent them being treated less favourably than others.
 - A SEN information report about the implementation of the school's policy for children with SEND.

3. Roles and responsibilities

The governing board will be responsible for:

- Ensuring this policy is implemented fairly and consistently across the school.
- Ensuring the school meets its duties in relation to supporting children with SEND.
- Ensuring that there is a qualified teacher designated as SENCO for the school.

The headteacher is responsible for ensuring the school offers a broad and balanced curriculum, with high quality teaching and a positive and enriching educational experience of for all children, including children with SEND.

In enacting this policy, the headteacher will:

- Ensure the school holds ambitious expectations for all children with SEND.
- Establish and sustain culture and practices that enable children with SEND to access the curriculum and learn effectively.

- Ensure the school works effectively in partnership with parents, carers and professionals, to identify the additional needs and SEND of children, providing support and adaptation where appropriate.
- Ensure the school fulfils its statutory duties with regard to the SEND code of practice.
- Work with the governing board to ensure that there is a qualified teacher designated as SENCO for the school.
- Ensure the SENCO has sufficient time and resources to carry out their functions.
- Provide the SENCO with sufficient administrative support and time away from teaching to enable them to fulfil their responsibilities.
- Regularly and carefully reviewing the quality of teaching for children at risk of underachievement, as a core part of the school's performance management arrangements.
- Ensure that procedures and policies for the day-to-day running of the school do not directly or indirectly discriminate against children with SEND.

The SENCO will be responsible for:

- Collaborating with the governing board and headteacher, as part of the SLT, to determine the strategic development of the SEND policy and provision in the school.
- The day-to-day responsibility for the operation of SEND policy.
- The coordination of specific provision made to support individual children with SEND.
- Liaising with the relevant designated teacher for LAC with SEND.
- Advising on a graduated approach to providing SEND support.
- Advising on the deployment of the school's delegated budget and other resources to meet children's needs effectively.
- Liaising with the parents of children with SEND.
- Liaising with early years providers, other schools, educational psychologists, health and social care professionals, and independent or voluntary bodies, as required.
- Being a key point of contact for external agencies, especially the LA and LA support services.
- Liaising with the potential future providers of education to ensure that children and their parents are informed about the options, and a smooth transition is planned.
- Working with the relevant governors and the headteacher to ensure that the school meets its responsibilities under the Equality Act 2010, regarding reasonable adjustments and access arrangements.
- Ensuring that the school keeps the records of all children with SEND up-to-date, in line with the school's Data Protection Policy.
- Providing professional guidance to colleagues, and working closely with staff, parents and other agencies.
- Being familiar with the provision in the Local Offer and being able to work with professionals who are providing a supporting role to the family.

Teachers will be responsible for:

- Planning and reviewing support for children with SEND on a graduated basis, in collaboration with parents, the SENCO and, where appropriate, the children themselves.

- Setting high expectations for every child and aiming to teach them the full curriculum, whatever their prior attainment.
- Planning lessons to address potential areas of difficulty to ensure that there are no barriers to every child achieving.
- Ensuring every child with SEND is able to study the full national curriculum.
- Being accountable for the progress and development of the children in their class.
- Being aware of the needs, outcomes sought, and support provided to any children with SEND they are working with.
- Understanding and implementing strategies to identify and support vulnerable children with the support of the SENCO.
- Keeping the relevant figures of authority up-to-date with any changes in behaviour, academic developments and causes of concern. The relevant figures of authority include the headteacher.

4. Identifying SEND

The school recognises that early identification and effective provision improves long-term outcomes for children. As part of the overall approach to monitoring the progress and development of all children, it has a clear approach to identifying and responding to SEND as outlined in the school's SEN Information Report.

With the support of the SLT, classroom teachers will conduct regular progress assessments for all children, with the aim of identifying children who are making less than expected progress given their age and individual circumstances.

'Less than expected progress' will be characterised by progress which:

- Is significantly slower than that of their peers starting from the same baseline.
- Is failing to meet a range of developmental milestones e.g. 2 year progress check

The school plans, manages and reviews SEND provision across the following four broad areas of need:

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

5. 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 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.

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.

6. SEND support

The school is aware of its statutory duty to provide a broad and balanced curriculum and recognise that high quality teaching, which is differentiated for individual children, is the first step in responding to children who have or may have SEND.

Teachers at the school will:

- Set high expectations for every child.
- Plan stretching curriculum for children who are working significantly above the expected standard.
- Plan activities for children who have low levels of prior attainment or come from disadvantaged backgrounds.
- Use appropriate assessment to set targets which are deliberately ambitious.
- Plan activities to ensure that there are no barriers to every child achieving.
- Be responsible and accountable for the progress and development of the children in their class, including where children access support from teaching assistants or specialist staff.

Decisions on whether to make special educational provision for children will be based upon:

- Discussions between the teacher and SENCO.
- Analysis of the child's progress – using the school's observation and assessment procedure.
- Discussion with the child and their parent.

Once a child has been identified with SEND, the school will employ a graduated approach to meeting the child's needs. This will be through the adoption of a four-part cycle – **assess, plan, do, review** – whereby earlier decisions and actions are revisited, refined and revised

with a growing understanding of the child's needs and of what supports the child in making good progress and securing good outcomes. The process is as follows:

- **Assess:** establishing a clear assessment of the child's needs
- **Plan:** agreeing 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
- **Do:** implementing the agreed interventions and support
- **Review:** analysing the effectiveness of the interventions and their impact on the child's progress in line with the agreed review date

Where higher levels of need are identified, the school will access specialised assessments from external agencies and professionals. Within this process we have the opportunity and provision to offer access to a Divergent Pathway or an Analytical Pathway of the curriculum, depending on which will be most appropriate for the child to access.

Where, despite the school having taken relevant and purposeful action to identify, assess and meet the SEN of a child, they have not made expected progress, the school, in consultation with parents, will consider requesting an Education, Health and Care needs assessment.

EAL

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 in the classroom are due to limitations in their command of English or arise from SEND.

7. Admissions

The school will ensure it meets its duties set under the DfE's 'School Admissions Code' by:

- Not refusing admission for a child thought to be potentially disruptive, or likely to exhibit challenging behaviour, on the grounds that the child is first to be assessed for SEND.
- Not refusing admission for a child that has named the school in their EHC plan.
- Considering applications from parents of children who have SEND but do not have an EHC plan.
- Not refusing admission for a child who does not have an EHC plan.
- Not discriminating against or disadvantaging applicants with SEND.
- Adopting fair practices and arrangements in accordance with the 'School Admissions Code' for the admission of children without an EHC plan.
- Ensuring the school's oversubscription arrangements will not disadvantage children with SEND.

Arrangements for the fair admissions of children with SEND are outlined in the Admissions Policy and will be published on the school website. In order to gain an accurate picture of the child's life prior to starting school during the admissions process, we will ask questions about their health and development, including if they were born prematurely. We are a prem aware setting.

8. Transition

The school is aware of the importance of planning and preparing for the transitions between phases of education and preparation for adult life.

Where children have EHC plans, these will be reviewed and amended in sufficient time prior to a child moving between key phases of education, to allow for planning for and, where necessary, commissioning of support and provision at the new setting.

9. Involving children and parents in decision-making

The school is committed to working in partnership with all parents in the best interests of their child and will provide an annual report for all parents on their child's progress.

Where a child is receiving SEND support, the school will regularly liaise with parents in setting outcomes and reviewing progress. The class teacher, supported by the SENCO, will meet with the parents three times each year.

The planning that the school implements will help parents and children with SEND express their needs, wishes and goals, and will:

- Focus on the child as an individual, not allowing their SEND to become a label.
- Be easy for children and their parents to understand by using clear, ordinary language and images, rather than professional jargon.
- Highlight the child's strengths and capabilities.
- Enable the child, and those who know them best, to say what they have done, what they are interested in and what outcomes they are seeking in the future.
- Tailor support to the needs of the individual.
- Organise assessments to minimise demands on parents.
- Bring together relevant professionals to discuss and agree together the overall approach.

Where the LA provides a child with an EHC plan, the school will involve the parents and the child in discussions surrounding how the school can best implement the plan's provisions to help the child thrive in their education, and will discern the expected impact of the provision on the child's progress.

Where necessary, the school will facilitate support from an advocate to ensure the parent's views are heard and acknowledged.

10. Funding for SEND support

Where additional child needs are identified the school will use its delegated funding allowance to provide early intervention support for the benefit of children identified with SEND.

Where children with SEND have been receiving early intervention support but are still not making sufficient progress, the school will consider accessing high needs top-up funding from the LA to provide additional specialist support.

11. 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 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 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.

12. 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 and child that they have the right to appeal the decisions made regarding the EHC plan.
- Where possible for LAC, 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.

13. Managing complaints

The school will publish the Complaints Procedure Policy on the school website.

Following a parent's serious complaint or disagreement about the SEND provision being made for their child, the school will contact the LA immediately to seek disagreement resolution advice, regardless of whether an EHC plan is in place.

The school is aware of the formal and informal arrangements for resolving disagreements at a local level and will work with the LA in responding to requests for information as part of procedures for:

- Disagreement resolution.
- Mediation.
- Appeals to the SEND Tribunal.

Parents will be made aware that Ofsted can consider complaints relating to whole-school SEND early years provision if the problem has not been resolved informally.

The school will meet any request to attend a SEND tribunal and explain any departure from its duties and obligations under the 'Special educational needs and disability code of practice: 0 to 25 years'.

14. Staff training and improving practice

The school is committed to the learning and development of all its staff members and training opportunities will be provided and delivered in line with the school's CPD and Training Policy.

The school SENCO will assess staff competencies and ensure that CPD provision allows staff to develop their awareness, skills, and practices in identifying, educating, and assessing children with SEND.

15. Use of data and record keeping

All information about children will be kept in accordance with the school's Records Management Policy and 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 child'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, 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 any person in connection with the child's application for students with disabilities allowance in advance of taking up a place in HE.

- To the headteacher (or equivalent position) of the setting at which the child is intending to start their next phase of education.

The school will adhere to our Data Protection Policy at all times.

16. Publishing information

The school will publish information on the school website about the implementation of this policy.

The information published will be updated annually and any changes to the information occurring during the year will be updated as soon as possible.

The SEN Information Report will be prepared by the governing board and will be published on the school website.

17. Joint commissioning, planning and delivery

The school will work closely with local education, health and social care services to ensure children get the right support.

The school will assist the LA in carrying out their statutory duties under the Children and Families Act 2014, by ensuring that services work together where this promotes children and young people's wellbeing or improves the quality of special educational provision (Section 25 of the Children and Families Act 2014).

The school will draw on the wide range of local data sets about the likely educational needs of children with SEND to forecast future needs, including:

- Population and demographic data.
- Prevalence data for different kinds of SEND among children at the national level.
- Numbers of local children with EHC plans and their main needs.
- The numbers and types of settings locally that work with or educate children with SEND.
- An analysis of local challenges or sources of health inequalities.

The school will plan, deliver and monitor services against how well outcomes have been met, including, but not limited to:

- Improved educational progress and outcomes for children with SEND.
- Increasing the identification of children with SEND prior to school entry.

Where children with SEND also have a medical condition, their provision will be planned and delivered in coordination with the EHC plan.

SEND support will be adapted and/or replaced depending on its effectiveness in achieving the agreed outcomes.

18. Local Offer

The school's governing board will collaborate with and support the LA in developing and reviewing the Local Offer, where necessary and appropriate, to ensure that it is:

- **Collaborative:** Where appropriate, the school will work with LAs, parents and children in developing and reviewing the Local Offer. The school will also cooperate with those providing services.
- **Accessible:** The school will collaborate with the LA during development and review to ensure that the LA's Local Offer is easy to understand, factual and jargon-free; is structured in a way that relates to children's and parents' needs, e.g. by broad age group or type of special educational provision; and is well-signposted and -publicised.
- **Comprehensive:** The school will help to ensure that parents and children understand what support can be expected to be available across education, health and social care from age 0 to 25 and how to access it. The school will assist the LA in ensuring that the Local Offer includes eligibility criteria for services, where relevant, and makes it clear where to go for information, advice and support, as well as how to make complaints about provision or appeal against decisions.
- **Up-to-date:** The school will work with the LA to review the Local Offer to ensure that, when parents and children access the Local Offer, the information is up-to-date.

The school will provide the LA with information about their existing SEND provision and capabilities to support children with SEND to aid in the drafting of the Local Offer, where required.

The Local Offer has two purposes:

- To provide clear, comprehensive, accessible and up-to-date information about the available provision and how to access it.
- To make provision more responsive to local needs by involving children with SEND and their parents/carers, as well as service providers, in the development and review of the Local Offer.

In accordance with the Local Offer, the LA must:

- Ensure the child's parents/carers are fully included in the EHC needs assessment process and are consulted about the content of the plan.
- Consult children with SEND, and their parents/carers, when reviewing local SEND and social care provision, as well as when they are developing and reviewing their Local Offer.
- Make arrangements for providing children with SEND, and their parents/carers, with advice and information about matters relating to SEND.

The Local Offer will include the following:

- Special educational, health and social care provision for children with SEND, including online and blended learning
- Details of how an assessment for an EHC plan can be requested
- Arrangements for identifying and assessing children with SEND
- Information about assisting in preparing children for adulthood
- Arrangements for travel to and from school
- Support when a child moves between phases of education

- Sources of information, advice and support
- The LA's accessibility strategy

Arnold Nursery School will ensure that the governing body and SENDCO fully cooperate with the LA in relation to the Local Offer and accepts Rotherham LA's Local Offer which can be viewed at <http://www.rotherhamsendlocaloffer.org>

19. Monitoring and review

The policy is reviewed on an annual basis by the headteacher in conjunction with the governing board; any changes made to this policy will be communicated to all members of staff, parents of children with SEND, and relevant stakeholders.

All members of staff are required to familiarise themselves with this policy as part of their induction programme.

The next scheduled review date for this policy is September 2026.