



## **SEND POLICY AND PROCEDURE**

**Tees Valley Education Trust**

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## **1 INTRODUCTION**

This policy was developed by the Tees Valley Education SEND team, in liaison with the Senior Leadership Team (hereafter referred to as SLT) and the Trust Board. The Policy has been shared with all staff. It is available to parents and other interested parties and is published on each academy website.

This policy complies with the statutory requirements laid out in the 2014 SEND Code of Practice (0-25yrs). It has been written with reference to the following guidance documents:

- SEND Code of Practice (2014)
- Children and Families Act (2014)
- Care Act (2015)
- Equality Act 2010 - Public Sector Equality Duty
- TVED Equality Policy
- Schools SEN Information Report Regulations 2014 (referred to in this document as the Core Inclusion Offer)
- Statutory Guidance on supporting pupils at school with medical conditions
- TVED Safeguarding Policy
- Accessibility Plan
- Anti-Bullying and Behaviour Policy
- General Data Protection regulations policy (GDPR)
- DfE Keeping Children Safe in Education (KCSIE) [current version]

## **2 CONTACTS**

At each TVED Academy:

There is a Special Educational Needs and Disability Coordinator (SENDCo) named on the academy website.

The SENDCo is the designated person responsible for managing SEND provision and pupil outcomes and is a member of the Academy Senior Leadership Team.

The SENDCo is a qualified teacher; and holds the National SENDCo qualification, or is working towards this.

A member of the Trust Board has responsibility for monitoring SEND provision and pupil outcomes.

## **3 BELIEFS & VALUES**

All children are unique and every teacher is a teacher of every child – irrespective of individual need. We believe that wherever possible, children have an equal right to an inclusive education, which enables them to fully develop their personal, social and intellectual potential and to experience success every single day. We understand the importance of targeted, appropriate intervention to promote achievement beyond expectation.

In our academies, all staff and pupils work together as a team to ensure high achievement. The Core Inclusion Offer provides further details on the range of specialist support on offer at each of the academies.

#### **4 TEES VALLEY – MAT ACADEMY CONTEXTUAL OVERVIEW**

Within Tees Valley Education MAT, pupils with SEND can be educated within a:

**Mainstream Academy (Nur – Y6):** Brambles, Dormanstown, Pennyman and Wilton academies.

**Mainstream Academy with an additionally resourced provision (Nur – Y6):** Dormanstown and Pennyman academies.

**Special Free School (Nur – Y11):** Discovery Special Academy.

Please see the Trust and each Academy website for details of their special designation, pupil capacity and admission details.

The resources and learning environments at all our academies allow our children to access a setting which allows them to learn, play and grow together.

These include:

- Taking part in all educational visits (including residential visits).
- Technology to enhance access to learning, in order to promote independence.
- Use of assessment techniques that reflect their individual needs and abilities e.g. PIVATS and CASPA.
- Application for extra time for the completion of SATs, if appropriate.
- Small groups with higher staffing ratios to meet specific need (ARPs and Special Academy).

#### **5 AIMS AND OBJECTIVES**

1. To ensure that each child with a Special Educational Needs and/or Disability can access and gain a positive experience from all aspects of academy life, and where necessary, reasonable adjustments will be made to allow them do to so.
2. To ensure the Trusts/Academy's philosophy, policies and procedures are underpinned in all of our actions and are actively promoted by all members of our community, so that:
  - a) high expectations are considered 'non-negotiable' for all children.
  - b) we have in place a consistently applied framework (Graduated Response) for identifying those children whose individual needs will require intervention.
  - c) those children who are identified as SEND follow a regular cycle of assessment: ASSESS, PLAN, DO, and REVIEW.
  - d) Accessible systems are in place to record, monitor and track progress.
  - e) We produce a consistent, high level of relevant education for all our children through quality first teaching.
3. To ensure all children, whatever their ability, gender, ethnic origin, social background or disability, have access to a broad, balanced, relevant and differentiated curriculum.
4. To ensure all learning support and interventions are tailored to an individual's specific needs with a clear focus on pupil outcomes. Targets and outcomes will be routinely shared with the child and parents.

5. To work in partnership with everyone who cares for the individual child to ensure the very best outcomes through co-production.
6. To put the child at the centre of everything we do, raise aspirations and expectations, and give them a voice.
7. That we make appropriate use of SEND resources (at both SEN Support and EHCP stages) to procure the expertise of external agencies through a consistent and cyclical review of outcomes.
8. To provide ongoing, relevant staff CPD and training.
9. To produce targets that are appropriate to the individual, and which are consistently formulated, manageable, and are implemented as an integral part of our short-term planning and delivery.
10. To provide a clear structure for the management of specialist support, e.g. timetable and working guidelines for support staff.
11. To provide the SENDCo with non-contact time to monitor children's progress, especially in relation to teaching, learning, annual reviews and target setting.

## **6 WHAT IS A SPECIAL EDUCATIONAL NEED?**

A child may have special educational needs either throughout, or at any time during their learning journey. Not all pupils with a disability will have a special educational need, and not all pupils with a special educational need meet the definition of a disability, however this policy covers all of these pupils.

A child has a special educational need if "he or she has learning difficulties and needs special help. This help is known as special educational provision. A learning difficulty is where a child finds it much harder to learn than most children of the same age, or a disability which makes it difficult to use the educational facilities in the area" (Code of Practice 2014).

## **7 WHAT IS A DISABILITY?**

A child has a disability if they "have a physical or mental impairment which has a long term (a year or more) and substantial adverse effect on their ability to carry out normal day-to-day activities. Physical or mental impairment includes sensory impairments such as those affecting sight or hearing and long term health conditions such as asthma, diabetes or epilepsy" (Equality Act 2010).

## **8 WHAT IS NOT CONSIDERED SEN - BUT MAY IMPACT ON PROGRESS AND ATTAINMENT?**

A child must not be regarded as having a special educational need or learning difficulty solely because:

- they have a Disability (although 'reasonable adjustments' should be made in all settings under the current Disability Equality legislation).
- the language of the home differs from the language in which they are taught. However, it may be that in the short-term, children with little knowledge of English will need extra support to enable them to develop functional use of language.
- they have poor attendance or punctuality.
- there are concerns regarding health or welfare.
- they are in receipt of the Pupil Premium Grant.
- they are a Looked After Child.
- they are the child of a serviceman/woman.

- their behaviour is deemed unacceptable (unless there is clear evidence the behaviour is directly attributed to an underlying social/emotional concern which acts as a barrier towards the child successfully accessing their education, or, they have a diagnosed mental health need or are in the process of assessment).

Children who are identified as having one or more of the above difficulties are generally considered to be Vulnerable Learners. The Trust ensures appropriate mechanisms and safeguards are in place to closely monitor these children. All staff are aware of their collective responsibility in meeting the needs of vulnerable learners and reporting concerns.

## **9 CURRICULUM**

Each academy provides a broad and balanced curriculum for all children. Some children may require additional personalisation and differentiation of the curriculum, which takes into account and supports their specific learning needs, whilst allowing them to share the same experiences as their peers. This is coordinated by the SENDCo and moderated throughout the year by Trust SEND leaders and staff. There are three elements to our approach to the Curriculum:

### **Intention**

At TVED, our curriculum is designed to meet the individual needs of our pupils. It aims to provide motivating and relevant learning and development activities to maximise pupil engagement and support outstanding progress in all areas of learning. Personalised provision allows teachers to plan in direct response to a pupil's individual needs and interests and taking account of their barriers to learning. Through a combination of formal, semi-formal (+) and informal curriculum model approaches, pupils are well prepared for each phase of their education and transition into meaningful, aspirational and independent adult life, well placed to make a positive contribution to life in modern Britain.

### **Implementation**

The subject based approach, linked to key areas of learning appropriate for SEND pupils such as communication and interaction, physical and sensory development and independence, is intended to provide stimulating experiences within a highly personalised approach. The curriculum differentiated at three levels, **formal, semi-formal (+) and informal**. Within our context, the semi and informal curricula are more heavily drawn upon. This meets the needs of our different cohorts of pupils, ensuring that they all have access to areas of learning which are suited to them. Each pathway has its own curriculum mapped out that meets the needs of the pupils. However, there are links within and between all pathways to ensure that classes can take a mixture of approaches if necessary to support individualisation and accessibility. Varied and frequent use is made of the local and extended community.

### **Impact**

The curriculum supports pupils to make outstanding progress in all areas of their learning and development, successfully moving on to a range of post 19 education and adult social care provision. Pupils leave with maximised communication, confidence, self-help, self-regulation and independent life and living skills. As the children move onto Key Stage 3 and beyond, useful accreditation and qualifications will be achieved to enable our pupils to continue their learning journeys into adult life

In class support is deployed to support children with SEND in the classroom. Where necessary, pupil class sizes are reduced or time-limited, small group interventions are deployed to allow for a more personalised approach to learning.

## **10 IDENTIFICATION & SEND REGISTRATION**

The Department for Education recommends a cycle of Identify, Assess, Plan, Do and Review in relation to meeting the needs of all children with Special Educational Needs and Disabilities. TVED uses a **Graduated Response**, which forms part of the DfE SEND Code of Practice, as illustrated below.

A special educational need can be identified at any stage of a child's learning journey; however, research tells us that early identification is vital. Staff will inform parents at the earliest opportunity to alert them to concerns and enlist their consent to the child being placed on the SEND Register. This stage is called SEND Support. The views and opinions of parents are an essential part of SEND registration. We work collaboratively with a range of professionals and we actively encourage parents to speak to us about their child's needs.

### **TVED Graduated Response**

The special educational needs of the great majority of pupils should be met effectively within mainstream settings utilising the Ordinarily Available Provision (OAP) accessed by all mainstream pupils and also, where identified, some additional support using the notional SEND funding and/or LA high needs funding. This can happen without the LA needing to make an Education, Health and Care (EHC) Needs Assessment.

The Trust follows a graduated response which supports teachers and senior leaders in each academy in deciding whether a child should be flagged as a cause for concern or diary child, placed on SEN support, or whether, after the collection of evidence, an EHC assessment may be required.

The four stages of the Trust Graduated Response are described in full detail in the separate TVED Graduated Response document.

The Graduated Response should help determine whether a child does need registering as having a special educational need.

Teachers should use the identification document by referring to the relevant section, bring this along with classroom based evidence to the SEND team and then further discuss can take place around support. For example:

- Work
- Observations
- Records of intervention
- Specific reference to support given in planning
- Diary Sheets
- Assessments and progress rates

Teachers do not need to go through the whole Graduated Response, just focus on the area/s of need that are most relevant to the child.



## **Education Health and Care Needs Assessment**

### **Moving from SEN Support to an EHC Needs Assessment:**

The special educational needs of the majority of children should be met effectively within mainstream settings, (sometimes referred to as ordinarily available provision) without the need to refer to the Local Authority (LA) to make an EHC Needs Assessment. In a small number of cases, the LA will consider proceeding with a EHC Needs Assessment and then decide whether or not to issue an Education Health and Care Plan (EHCP).

An EHC Needs Assessment itself will not always lead to an EHC Plan. Before an EHC Assessment is made, a series of meetings and information gathering need to take place. The timescales of this process and the actual administrative procedures differ slightly from one LA to another. For more information about the EHC Assessment procedures and processes for the LAs that serve Tees Valley Education families, the LA links have been added below:

Middlesbrough LA EHC assessment procedures [EHCP - Referring for an Education, Health and Care Assessment | Middlesbrough](#)

Redcar & Cleveland LA EHC assessment procedures [Education, Health and Care needs assessments and plans | Redcar and Cleveland](#)

Stockton LA EHC assessment procedures [SEND Local Offer - Education, health and care plans \(EHCP\) - Stockton-on-Tees Borough Council](#)

### **Checklist: Evidence to be provided by the academy**

When making a request for an EHC Needs Assessment, the academy must clearly state the reasons for the request and submit the following evidence relating to the SEN Support stage:

- \* The views of parents and child
- \* Copies of relevant information relating to SEN provision (i.e. Short to medium term SEN targets and outcomes/ IEPs/SEN Support Plan)
- \* Evidence of progress over time
- \* Copies of recent (within 9 – 12 months) advice, where available, from Educational Psychologist, Health and Social Care
- \* Evidence of the involvement and views of professionals with relevant specialist knowledge and expertise outside the normal competence of the academy
- \* Evidence of the extent to which the academy has followed such advice

## **11 HOW DO STAFF IN OUR ACADEMIES KNOW IF CHILDREN NEED ADDITIONAL HELP?**

The Code of Practice (2014) defines Special Educational Needs as falling into one or more of four categories:

- Communication and Interaction - Autism, Asperger's Syndrome, Speech, Language, Communication & Interaction difficulties.
- Cognition and Learning – Specific learning difficulties (Dyslexia), Moderate Learning difficulties, Severe Learning difficulties and Profound and Multiple Learning difficulties.
- Social, emotional and mental health – significant social and/or emotional needs. (NOTE: Mental Health replaced Behaviour in the new 2014 Code of Practice).
- Sensory and/or Physical needs – Hearing Impairment, Visual Impairment, Multi-Sensory Impairment, Physical difficulty.

The purpose of identification is to establish what, if any, additional action the Academy needs to take, inform parents and assign appropriate resources and interventions as early as possible. This would be through the ordinarily available provision each child at the academy is entitled to, plus some additionality, usually agreed with the SENDCo, and monitored and reviewed over a period of time.

## **12 ASSESS, PLAN, DO, REVIEW**

### **ASSESS**

Academy staff complete baseline assessments for all EYFS children. This provides us with accurate information about cognitive development and social skills. The SEND Inclusion Team analyse this data, and this allows them to identify children who may require additional support with learning. Once a learning need is identified, parents are informed and the SEND Inclusion team begins a process of rigorous personal assessment via lesson observations, work scrutiny, staff feedback, parental feedback and student voice. This can then lead on to specific cognitive, language, emotional and/ or physical and sensory assessments.

On-going assessment helps to inform the level of support required to address any issues a child may have throughout their time at the academy. Progress is monitored and data from class teachers is collated every half term and tracked using a data tracking tool.

### **PLAN**

How will academy staff support my child and how will parents be involved in planning for those needs?

All staff are aware of a student's individual needs via an Individual Education Plan (IEP). IEPs are working documents for children with SEN written by the teacher in partnership with any outside specialists involved with the child. All staff are responsible for ensuring the plan is followed and appropriate provision is in place so that each child with SEND can participate effectively in every aspect of academy life.

### **DO**

How will the curriculum be matched to my child's needs?

SEND intervention is coordinated by the SEND Inclusion Team. Quality first teaching in the classroom supports the child. Some children will require more intensive levels of support.

When a child has been identified with special needs, their work may need to be differentiated by the class teacher to enable them to access a broad, balanced and relevant curriculum more easily. This may also require specific resources e.g. writing slopes, coloured overlays.

Targets will be set according to the child's area of need. These will be monitored by the classroom teacher and by the SENDCo three times a year. Discussion will take place with parents at parent's evenings. The SENDCo will also be available to answer specific concerns.

If a child is not making the expected progress and specific gaps are then identified, it may be appropriate for them to work within a smaller intervention group. These groups may be run inside the classroom or outside by a teacher, teaching assistant or a specialist from outside the academy.

Higher levels of support may be required through a more detailed Education, Health and Care Plan (explained later in this document).

## **REVIEW**

How will I know how my child is doing and how will you help me support my child?

Student progress is reviewed each half term and parents are invited into school twice a year for parent / teacher consultations, where they will also receive and discuss their child's Academy Report. The SEND Inclusion Team monitors the whole academy assessment data and highlights any students that are not achieving expected outcome levels. A formal SEND review can be called at any time, but scheduled EHCP annual reviews for each year group are set as follows:

Reception to Year 5 are held throughout the Autumn, Spring & Summer Terms.

Year 6 – after 15<sup>th</sup> February. This is the final date LAs MUST name a secondary in a young person's EHCP and this aligns the EHCP review with the secondary transition process, allowing the secondary SENDCo to attend the final Y6 review meeting.

## **13 DE-REGISTRATION**

When a child is showing consistent progress and is meeting set targets and agreed outcomes, over a sustained period, the SENDCo, in consultation with other key professionals, may decide that the child's name should be withdrawn from the SEND register. In this instance, the SENDCo will meet with parents to explain in detail what progress the child has made, what support will be in place to ensure the child still has their educational needs monitored (to prevent regression), and what their learning pathway will look like. This process is called de-registration and children who have been de-registered will typically utilise the ordinarily available provision (OAP) all children in mainstream are entitled to.

## **14 STAFF ROLES AND RESPONSIBILITIES**

### **14.1 The role of the Trust Board**

The Board should, in co-operation with the CEO, determine the academy's general policy and approach to provision for children with SEND, establish the appropriate staffing and funding arrangements and maintain a general overview of academy work.

The Board may appoint a committee to take interest in, and monitor SEND provision and will have an understanding of how to interpret SEND data and how this is linked to outcomes.

The Board has appointed a nominated person with responsibility for taking particular interest and closely monitor the academy's work on behalf of children with SEND, including dealing with SEND complaints.

#### **14.2 The Role of the CEO and Executive leadership team**

The Headteacher, who is overseen by the CEO and supported by the Executive team, has responsibility for the day to day management of all aspects of academy work, including the admission of and provision for children with SEND.

The CEO, Deputy CEO, Headteacher and Director of SEND & Inclusion, along with the academy SEND team, will keep the Board fully informed via routine reporting mechanisms, and also work closely with the academy SENDCo.

#### **14.3 The Role of the SENDCo**

The SENDCo, working closely with the CEO, Headteacher, SLT and fellow teaching staff should be closely involved in the strategic development of SEND policy and provision. This includes:

- Managing the day to day operation of the academy SEND policy and provision.
- Working closely with relevant agencies, partners and other stakeholders.
- Liaising with parents/carers of children with SEND.
- Managing and overseeing the records for all children with SEND.
- Monitoring progress of children on the SEND register.
- To ensure that parents are made aware when their child is placed on the school SEND register.
- Oversee progress, outcomes, entitlement and statutory reviews within the academy.
- To arrange and attend Annual Reviews for all children in receipt of an EHCP.
- Assist with transitional arrangements to secondary school and liaise with secondary school SENDCo's.
- Co-ordinating the use of PIVATS and CASPA assessment as a tool for monitoring and assessing children with SEND who are working below national expectations.
- Lead the strategic group responsible for all SEND.
- Lead the specialist discrete place teachers.
- Be the first point of contact in dealing with, and responding to, a complaint directly linked to the academy SEND provision and procedures.

#### **14.4 The Role of Teaching and Non-teaching Staff**

All teaching and non-teaching staff should be fully aware of academy procedures in relation to children with SEND. They should:

- Identify any child who requires additional support or who has a SEND (applying the graduated response in relation to all children with additional needs).
- Work closely with the SENDCo to ensure the appropriate provision is being made to promote the emotional, physical and educational well-being of the children in their care.

- Liaise with appropriate outside agencies.
- Contribute to, and/or attend annual reviews for all children with an EHCP.
- Work collaboratively using target setting, assessment, IEP and review cycle within the school to ensure children receive appropriately differentiated and personalised provision.
- Be actively involved in the day-to-day planning for children with SEND for which they are responsible.

## **15 ADMISSION ARRANGEMENTS**

Each academy has adopted their respective LA admission procedures for all mainstream admissions; the general Admissions Policy can be obtained from the LA or the academy website.

When a child with SEND requires more specialist provision, which the 'home' Local Authority has identified via their EHC Panel, a separate criteria for admission must be followed. The category of SEND catered for in each academy is detailed in their annual SEN Information report, and published on the academy website. Children referred to TVED specialist provision must be referred by the LA. Parents wishing to place their children will be signposted to their 'home' LA. Placement will only be approved providing:

- the LA place panel has formally requested placement, written to the Headteacher including all current assessment paperwork for each pupil the academy is being asked to consider.
- school or nursery based observations have been undertaken.
- TVEd SEND Leadership team has jointly considered the LA specialist placement request, and the CEO/Executive Headteacher, Headteacher and the Board are in agreement to the placement and consent to the Academy being named on the child's EHCP (or SEN Support plan in exceptional cases).
- the placement is the preference of the child's parent/carer, they have visited the academy and agree to support all academy policies.

Waiting lists for specialist provision are maintained by Middlesbrough LA and Redcar & Cleveland LA SEND Teams.

The Secretary of State for Education reserves the right to make the final decision on SEND placements.

## **16 DEFINITION OF RESOURCED PROVISION (RP) AND UNIT PROVISION (UP) WITHIN MAINSTREAM**

Specialist provision in mainstream schools for pupils with SEND is categorised as the following by the DfE:

SEN Units (UP) are special provisions within a mainstream school where the children with a specific type of SEN are taught mainly within separate classes. Resourced Provisions (RP) are where places are reserved at a mainstream school for pupils with a specific type of SEN. Pupils may be taught mainly within mainstream classes, but require support of a base and some specialist facilities around the school.

UP and RP must be formally recognised by the local authority in order to receive high needs place funding.

## **17 EDUCATION, HEALTH AND CARE PLAN (EHCP)**

If an academy feels that a child is not making the expected levels of progress, despite following the graduated response of Assess, Plan, Do, and Review, the SEND Inclusion Team will discuss the possible need to refer

the child to the Local Authority for an Education, Health and Care assessment (EHC). We will always consult with parents and professionals prior to making a referral and seek their views. The EHC assessment takes up to 20 weeks and could result in the child being issued with an Education, Health and Care Plan (EHCP). This is a legal document and it usually means a child requires a higher level of support which would not ordinarily be provided from the basic funding made available to the Academy. There is an expectation that children referred for admission to Discovery SA, Pennyman Unit or Dormanstown Unit will already have, or be in the process of receiving, an EHCP.

## **18 ACADEMY STAFF & CPD**

The SEND teams across Tees Valley Education are experienced in supporting children with a range of needs. They work collaboratively within the Tees Valley 'Hub', with LAs and other schools in the locality, as well as a range of external professionals who provide inset on assessments, intervention, training and safe handling techniques. All staff are committed to further developing their expertise through additional training and CPD programs. The SEND Lead Practitioner works across the 5 academies and, upon request, in other LA schools to offer strategies and advice via Outreach support. Schools can procure Outreach support via the Trust at a ½ or full day SLE rate.

## **19 PUPIL PARTICIPATION**

Each academy encourages all children to take responsibility and to make decisions about their learning journey. This is an integral part of the academy culture and ethos. We support all children to express their views and opinions about all aspects of academy life. We involve children at an appropriate level to set their own targets. This fosters ambition and inspires them to achieve their goals and allows them to make judgments about their own performance.

The Academy Student Council meets termly to discuss issues and topics that children feel are important to them. All children are encouraged to express their opinions to members of the Student Council. Children with SEND are also given the opportunity to express their views as part of the Annual Review Process, or at any time by speaking to an adult.

## **20 PARENTAL ENGAGEMENT**

We know that better outcomes for a child can only be achieved when everyone works together. By continually engaging with parents, concerns can be addressed and resolved at the earliest opportunity. Children also feel valued when they know that the adults caring for them have a vested interest in their well-being, and this raises self-esteem and boosts confidence. We encourage parents to access support from academy staff. We also encourage parents to access local support networks and include more information in each academy SEN Information report; this is published annually and available on the website.

## **21 FINANCE & RESOURCES**

Children with SEND will often require access to additional resources, beyond what is ordinarily available to the academy, to enable them to make further progress in a range of areas (i.e. learning/social/emotional/personal/developmental). This allows the academy to narrow the attainment gap and

ensure that children achieve better outcomes. To do this, the academy receives enhanced funding allocated by the Education and Skills Funding Agency (ESFA) and the Local Authority (LA) for some children with SEND.

The main formula for calculating the academy budget is based on the total number of students on roll at January Census; this is referred to as Basic Pupil Entitlement and includes the 'Age-Weighted Pupil Unit' (AWPU) and some other proxy indicators to determine funding, in order to meet the needs of our most vulnerable learners. Some proxy indicators include local geographical information such as deprivation and socio-economic factors (IDACI Index), meaning each academy funding allocation is unique.

**In addition to the Basic Pupil Entitlement, of which the Age Weighted Pupil Unit (AWPU) is the predominant component, plus other funding factors, there are four main funding streams for SEND across the Tees Valley Hub, but not all apply to every academy:**

Notional SEND Budget [funded by the ESFA]. This funding helps provide additional support for children (in mainstream settings only) who are registered at SEN Support. This is known as Element 2 funding.

ESFA High Needs Funding Block [£6k per filled Unit placement or £10k per Special School place]. This is known as Element 1 & 2 funding. This is separate to the AWPU that each school received for a child.

Local Authority Top-up fees. Paid per pupil to Unit provision and Special School provision, at agreed banding rates which match a LA descriptor of need. This is known as Element 3 funding.

Local Authority High Needs Funding matrix [mainstream Academies can apply to the LA to receive funds for children who have additional needs but do not meet criteria for a 'Unit' placement]. This is known as Element 3 funding.

**Separate funding grants for other qualifying vulnerable learners (some of whom have SEND) is paid by the ESFA:**

Pupil Premium Funding Grant / Early Years Premium (ESFA) and PP+ for LAC

Disability Access Fund (DAF)

**Some examples of the fixed academy costs for SEND include:**

- Specialist teaching staff (Behaviour support; Learning & Language support, EP)
- Smaller class sizes and intervention groups
- Higher ratio of adult support in class and on visits
- Specialist ICT assessments and resources; assistive technology
- One to one assessment of need by a SEND Lead Practitioner or commissioned Educational Psychologist
- Specialist Sport Coaching
- Procurement and maintenance of medical equipment
- Specialist seating & mobility aids
- Hire of specialist transport
- Other commissioned services, such as sensory integration therapies, hydro therapy

## **22 RESOLVING DISAGREEMENTS ABOUT ACADEMY SEND PROVISION**

If a parent/carer or student has an issue with the way the academy is supporting them or their child's special needs, there is a process to do this which is separate to the general academy complaints procedures.

We aim to make both the parents and child feel part of the whole Academy process in relation to SEND, and are committed to resolving disagreements locally, before they reach the complaint stage. If a parent/carer or student has an issue they are unhappy about, the first thing they should do is make an appointment to speak to the class teacher, and/or SENDCo. Parents and young people are free to ask a family member, friend or advocate to accompany them. If, after receiving a response from the teacher or SENDCo, the parent/carer is still unhappy, they should talk to the Head teacher. They can do this in person or in writing. Complaints cannot be fully investigated if they are sent to an academy or the Trust anonymously; in order for the complainant to receive a robust and timely response, all complainants must provide a name and contact details.

At the same time, parents/carers may also wish to seek separate, independent advice and guidance from SENDIASS (Special Educational Needs and Disability information, advice and support service). Each Local Authority Local Offer website must produce SENDIASS contact details.

If the issue cannot be resolved at local level, following the informal processes outlined above, the parent/carers may want to pursue a more formal route of complaint or mediation. There are different options, and which route the parent takes depends on what the complaint is about (see below).

- Contact to the CEO/Trust Board – this is the next level of complaint if a parent is not satisfied with the response from the Academy Headteacher. Usually, one or two Directors of the Trust will be assigned in the first instance to lead the investigation into the complaint.
- Contact to the Local Authority SEND Team – this can be done simultaneously alongside the complaint to the Trust Board.
- Contact to the Information Commissioner - if a parent has problems accessing school records, minutes of governors meetings, school policies or other public documents, or if they believe their child's records have been disclosed unlawfully, are incorrect or out of date, they should first exhaust the academy complaints procedure.
- Contact Ofsted - Ofsted is the body which inspects a range of public services including schools. Schools are inspected at least once every three years. Parents have a legal right to complain to Ofsted on the work of maintained schools, academies, city technology colleges, maintained nursery schools and non-maintained special schools. It is important to remember that parents can only make complaints to Ofsted about issues that affect the whole school and not about an individual child or young person. Ofsted could investigate complaints about: the quality of education and standards achieved; inadequate provision for pupils with special educational needs; neglect of pupils' personal development and wellbeing; and the quality of leadership and management, for example, whether the school spends its money well.
- Contact the Department for Education – the DfE will look at a complaint about a maintained school, academy or free school from anyone who is unhappy with the way in which a school or educational



establishment is acting. For the Department for Education to intervene in a school or educational establishment following a complaint, they need to be sure the school or educational establishment has: acted or is proposing to act unreasonably in the exercise or performance of its functions under certain legislation; or, failed to discharge a duty at all under certain legislation.

- Appeal to the First-Tier Tribunal / Mediation - parents and young people can appeal to the First Tier Tribunal about decisions that the local authority has made about their child or young person or young adult up to 25 years old, and, disability / equality discrimination about schools, educational establishments and local authorities. In some circumstances, before a parent can register with the First Tier Tribunal they may need to evidence they have engaged with a Mediation service to resolve the issue.

### **23 TRANSITION & SUPPORTING SUCCESSFUL PREPARATION FOR ADULTHOOD**

The SEND Code of Practice covers the age ranges 0 – 25; this encompasses four of the main educational transition ‘phases’ for children and young people:

- Nursery to Reception (entering statutory school age)
- Year 6 to Year 7 (secondary transition) *[at the child’s Y5 EHCP review meeting parents begin planning secondary placement]*
- Year 11 to Post 16 provision (FE College, apprenticeship, or other form of post 16 placement) *[at the Y9 EHCP review meeting parents and the young person begin working with professionals to plan for post 16]*
- College to University (age 18 +)

Through each of these phases, planning for transition can be a stressful time for a child or young person and the family. This can be further exacerbated if a specialist provision is being considered and places are limited. We aim to make this process as positive and enjoyable as possible for all involved. Parents are encouraged to speak with their LA SEND officer or Parental Choice Adviser to discuss their child’s specific needs with regards to transition at the earliest opportunity.

With parental consent, Academy SEND & Pastoral Leads work closely with feeder secondary schools and colleges to gather and share information about each child. If the child has an EHCP parents will be invited to attend a review meeting during Year 6 to ensure a suitable transition plan is in place. We will hold the Reception, Y6 and Y11 reviews after the Local Authority have informed parents of the primary, secondary school or FE College your child has been allocated, so that we can invite the allocated new setting’s SENDCo to the review meeting.

This plan can include:

- Securing funding for additional support
- Identifying if the young person needs independent skills advice and/or training
- Taking photographs / short videos of the new environment and key members of staff so the child has these to refer to
- Parent support group

- Personalised visits to primary and secondary schools and FE providers, including having lunch and meeting other staff and peer groups, offering taster sessions with support
- Transition meetings with secondary support staff or FE College staff

### Preparing for adulthood

Staff from the Secondary special school, Discovery Academy, will ensure that students are supported to make a smooth transition to whatever they will be doing next, e.g. moving on to higher education. Academy staff will engage with FE providers, as necessary, to help plan for any transitions. The academy will transfer all relevant information about students to any educational setting that they are transferring to. The academy will take an active role in preparing students with SEND for their transition into adult life, preparing them to achieve their ambitions in terms of HE, FE or employment, taking responsibility for their health, where they will live, their relationships, their finances, social integration and independence. The academy may source independent, impartial careers guidance for students, however this is the statutory duty of the commissioning body:

- Discussing preparation for adulthood in planning meetings with students and parents.
- Helping students and their parents prepare for the change in legal status once a student is above compulsory provision age.
- Ensuring that careers advice and information provides high aspirations and a wide range of options for students with SEND.
- Helping students and parents understand and explore how the support they will receive in provision will change as they move into different settings, and what support they are likely to need to achieve their ambitions.
- Securing access to independent, face-to-face support for students with SEND to make successful transitions.

## **24 LINKS WITH SOCIAL SERVICES AND HEALTH**

### **24.1 Welfare, Safeguarding and Social Services**

Each academy has a senior leader who acts as designated person with responsibility for Child Protection & Safeguarding. The designated person works closely with the pastoral lead and SENDCo. This ensures that there is a clear and holistic view of children recognised as vulnerable learners. All staff receive safeguarding inset annually, and a dedicated system for effectively recording welfare or safeguarding issues is in place (CPOMS). TVED has a Trust Lead for Safeguarding & Welfare, as well as a designated member of the Board who has responsibility for overseeing and monitoring safeguarding.

There are clear procedures in place for referring children to Social Services, as outlined in the Middlesbrough Local Safeguarding Children's Board and Redcar & Cleveland Local Safeguarding Children's Board guidelines. Each Local Authority has a Local Area Designated Officer (LADO) who has responsibility for dealing with allegations made against members of school staff.

## **24.2 Health**

The Local CCG provides the School Nursing service and ensures universal school nursing services provided to schools in the locality. School nurses work closely with the SENDCo and Inclusion team to ensure that children's medical needs are addressed. The nurse will also make referrals to other appropriate health practitioners if necessary. There is also a Designated Clinical Officer for South Tees Health who is the lead contact for any pupil specific health related issues that require a multi-agency response or where complex issues may require a multi-agency solution.

## **25 JOINT COMMISSIONING, PLANNING AND DELIVERY**

Each TVED academy is committed to ensuring that students with SEND can achieve their ambitions and the best possible educational outcomes, as well as other opportunities, such as securing employment and living as independently as possible. The academy and Trust will work closely with local education, health and social care services to ensure students get the right support. The academies and Trust 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 academies and Trust will draw on the wide range of local data sets about the likely educational needs of students with SEND to forecast future needs, including:

- Population and demographic data.
- Prevalence data for different kinds of SEND among children and young people 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 students with SEND.
- An analysis of local challenges or sources of health inequalities.

The Trust's Data Protection Policy will be adhered to at all times. The Trust and its academies will plan, deliver and monitor services against how well outcomes have been met, including, but not limited to:

- Improved educational progress and outcomes for students with SEND.
- Increasing the identification of students with SEND prior to provision entry. Where students 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

## **26 STORING, MANAGING & SHARING INFORMATION**

The academy takes confidentiality and the safeguarding of children's protected characteristics very seriously. There is a separate General Data Protection Regulations policy (GDPR), which covers all aspects of managing and storing pupil data, including the sharing of data, retention and safe disposal of data and transferring data to other stakeholders i.e. secondary schools. This policy is available upon request.

All staff sign an agreement at the beginning of each academic year consenting to follow Academy protocols in relation to safeguarding and confidentiality.

At any stage throughout a child's learning journey there may be a need for them to receive interventions from other professionals or undergo treatment in relation to a medical condition. To enable the academy to fully support the child, and fulfil its duty of care, we expect all parents/carers as part of the conditional offer of placement, to consent to the academy receiving all relevant information from professionals or medical practitioners, so that staff can work collaboratively in the interests of the child. This information will be stored securely in line with the academy General Data Protection Regulation policy (GDPR).

TVEd academies will not disclose any EHC plan without the consent of the child's parents, except for disclosure:

- To a First Tier tribunal when parents or student appeals, 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 provisions and LAs.
- To any person in connection with the student's application for students with disabilities allowance in advance of taking up a place in HE.
- To the Director (or equivalent position) of the setting at which the student is intending to start their next phase of education.

## **27 REVIEWING THE SEND POLICY**

This Policy will be reviewed by the Tees Valley Education SEND Leadership Group and the Tees Valley Education SEND Operational Group every two years, or as soon as possible if there are changes during the year. Any amendments will be shared with the SLT and the Board for approval. Parents and other stakeholders will be notified and consulted on any changes in writing, parent meetings and annual reviews.