



# **Rainbow Primary School**

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## **SEND Policy**

Created: February 2018  
Review: March 2019 (Reviewed Oct 19)  
Next Review: March 2020

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## 1.2 Statement of intent

This policy outlines the framework for Rainbow Primary School to meet its duty and obligation to provide a high quality education to all of its pupils, including pupils with special educational needs and disabilities (SEND), and to do everything it can to meet the needs of pupils with SEND.

Through successful implementation of this policy, the school aims to:

- Eliminate discrimination.
- Promote equal opportunities.
- Foster good relationships between pupils with SEND and pupils without SEND.

Rainbow Primary School will work with the LA within the following principles which underpin this policy:

- The involvement of children, parents/carers and young people in decision-making
- The identification of children's and young people's needs
- Collaboration between education, health and social care services to provide support
- High quality provision to meet the needs of children and young people with SEND
- Greater choice and control for young people and parents/carers over their support
- Successful preparation for adulthood, including independent living and employment

Signed by:

\_\_\_\_\_ Headteacher                      Date: \_\_\_\_\_

\_\_\_\_\_ Chair of Trustees                      Date: \_\_\_\_\_

## 1. Legal framework

1.1. This policy has due regard to legislation, including, but not limited to, the following:

- Children and Families Act 2014
- Health and Social Care Act 2012
- Equality Act 2010
- Equality Act 2010 (Disability) Regulations 2010
- Education Act 1996
- Education Act 2002
- Mental Capacity Act 2005
- Children Act 1989
- Special Educational Needs and Disability (Amendment) Regulations 2015
- Special Educational Needs (Personal Budgets) Regulations 2014
- Special Educational Needs and Disability (Detained Persons) Regulations 2015
- Local Government Act 1974
- Disabled Persons (Services, Consultation and Representation) Act 1986

1.2. This policy also 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 pupils at school with medical conditions'
- DfE (2016) 'Keeping children safe in education'
- DfE (2015) 'Working together to safeguard children'
- DfE (2014) 'School admissions code'

## 2. Identifying SEND

2.1. Rainbow Primary School has a clear approach to identifying and responding to SEND. We recognise the benefits of early identification: identifying need at the earliest point and then making effective provision improves long-term outcomes for the pupil.

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

- Is significantly slower than that of their peers starting from the same baseline.
- Fails to match or better the pupil's previous rate of progress.
- Fails to close the attainment gap between the pupil and their peers.

- Widens the attainment gap.

### **3. Early Years Foundation Stage**

3.1. The Early Years Foundation Stage (EYFS) is the statutory framework for children aged 0 to 5 years. The school has arrangements in place to support EYFS pupils with SEND.

3.2. Rainbow Primary School ensures all staff who work with young children are alert to emerging difficulties and respond early. In particular, parents know their children best and it is important that all practitioners listen and understand when parents express concerns about their child's development.

3.3. Rainbow Primary School also listens to and addresses any concerns raised by children themselves.

3.4. At Rainbow Primary School, we:

- Use our best endeavours to make sure that pupils with SEND get the support they need.
- Ensure that pupils with SEND engage in the activities of school alongside children who do not have SEND.
- Designate a teacher to be responsible for coordinating SEND provision (the SENCO)
- Inform parents when we are making special educational provision for their child.
- Prepare a report on:
  - The implementation of our SEND Policy.
  - Our arrangements for the admission of children with disabilities.
  - The steps being taken to prevent children with disabilities from being treated less favourably than others.
  - The facilities provided to enable access to the school for children with disabilities.
  - Our Accessibility Plan, showing how we plan to improve access over time.

### **4. Definition**

4.1. For the purpose of this policy, a pupil is defined as having SEND if he/she has a:

- Significantly greater difficulty in learning than the majority of others of the same age.
- A disability or health condition which prevents or hinders him/her from making use of educational facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions.

4.2. Under the Equality Act 2010, a disability is a physical or mental impairment which has a long-term and substantial adverse effect on their ability to carry out normal day-to-day activities.<sup>1</sup>

4.3. When reviewing and managing special educational provision there are four broad areas of need and support which give an overview of the range of needs that should be planned for. Rainbow Primary School reviews how well equipped we are to provide support across these areas:

#### **4.4. Communication and interaction**

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

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

#### **4.5. Cognition and learning**

4.5.1. Support for learning difficulties may be required when children and young people learn at a slower pace than their peers, even with appropriate differentiation.

4.5.2. Learning difficulties cover a wide range of needs, including moderate learning difficulties (MLD), severe learning difficulties (SLD), where children are likely to need support in all areas of the curriculum and associated difficulties with mobility and communication, through to profound and multiple learning difficulties (PMLD), where children are likely to have severe and complex learning difficulties, as well as a physical disability or sensory impairment.

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

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<sup>1</sup> Equality Act 2010, section 6 (1)

#### **4.6. Social, emotion and mental health difficulties**

- 4.6.1. Children and young people may experience a wide range of social and emotional difficulties which manifest themselves in many ways. These may include becoming withdrawn or isolated, as well as displaying challenging, disruptive or disturbing behaviour. These behaviours may reflect underlying mental health difficulties such as anxiety or depression, self-harming, substance misuse, eating disorders or physical symptoms that are medically unexplained.
- 4.6.2. Other children and young people may have disorders such as attention deficit disorder, attention deficit hyperactive disorder or attachment disorder.
- 4.6.3. Schools and colleges should have clear processes to support children and young people, including how they will manage the effect of any disruptive behaviour so it does not adversely affect other pupils.<sup>2</sup>

#### **4.7. Sensory or physical needs**

- 4.7.1. Impairments which prevent or hinder people from making use of the educational facilities generally provided, such as vision impairment (VI), hearing impairment (HI) or a multi-sensory impairment, diabetes, epilepsy and cancer, are included under the definition of disability, but children with such conditions do not necessarily have SEN.
- 4.7.2. These conditions can be age-related and can fluctuate over time.
- 4.7.3. A pupil with a disability is covered by the definition of SEND if they require special educational provision.

4.8. Under the Equality Act 2010 (Disability) Regulations 2010, the following conditions do not constitute a disability:

- A tendency to set fires
- A tendency to steal
- A tendency to commit physical or sexual abuse towards others
- Exhibitionism
- Voyeurism
- Tattoos and piercings<sup>3</sup>

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<sup>2</sup> The Department for Education publishes guidance on managing pupils' mental health and behaviour difficulties in schools, Chapter 6

<sup>3</sup> Equality Act 2010 (Disability) Regulations 2010, section 4 (1)

## 5. Children with specific circumstances

- 5.1. **Looked after children:** Children at the school who are being accommodated, or who have been taken into care, by the LA are legally defined as being 'looked after' by the LA. The school recognises that children that have some form of SEN are more likely to be 'looked after', and it is likely that a significant proportion of them will have an EHC plan.
- 5.2. Rainbow Primary School has a designated member of staff for looked after children (LAC), Stephanie Ngenda. The designated teacher works closely with the SENCO to ensure that the implications of a child being both looked after and having SEN are fully understood by relevant school staff.
- 5.3. **English as an Additional Language (EAL):** The school gives particular care to the identification and assessment of the SEN of children whose first language is not English. It is necessary to consider the pupil within the context of their home, culture and community. Where there is uncertainty about an individual pupil, the school makes full use of any local sources of advice relevant to the ethnic group concerned, drawing on community liaison arrangements wherever they exist.
- 5.4. Rainbow Primary School appreciates that a lack of competence in English is not equated with learning difficulties. At the same time, when children who have EAL make slow progress, it should not be assumed that their language status is the only reason; they may have learning difficulties. The school looks carefully at all aspects of a pupil's performance in different subjects to establish whether the problems they have in the classroom are due to limitations in their command of the language that is used there or arise from SEN.

## 6. Objectives

6.1 Rainbow Primary School plans to achieve the core aims of this policy by achieving the following strategic and measurable objectives:

- To follow the graduated approach outlined in the SEND Code of Practice.
- To monitor the progress of all pupils in order to aid the earliest possible identification of SEND.

## 7. Admissions

7.1. The school will ensure it meets its duties under the School Admissions Code by:

- Not refusing admission for a child that has named the school in their education, health and care (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 has SEND but does not have an EHC plan because the school does not feel able to cater for those needs.
- Not refusing admission for a child on the grounds that they do not have an EHC plan.
- Adopting fair practices and arrangements in accordance with the School Admissions Code for the admission of children without an EHC plan.

7.2 Arrangements for the fair admissions of pupils with SEND are outlined in the Admissions Policy and will be published on the school website.

## 8. Roles and responsibilities

### 8.1 The Trust Board has a responsibility to:

- Fully engage pupils with SEND and their parents/carers when drawing up policies that affect them.
- Identify, assess and make provision for all children and young people with SEND, whether or not they have an EHC plan.
- Endeavour to secure the special educational provision called for by a pupil's SEND.
- Designate an appropriate member of staff to be the special educational needs coordinator (SENCO) and have responsibility for coordinating provision for pupils with SEND.
- Appoint a designated teacher for looked after children, where appropriate.
- Make reasonable adjustments for pupils with disabilities to help alleviate any substantial disadvantage they experience because of their disability.
- Take necessary steps to ensure that pupils with disabilities are not discriminated against, harassed or victimised.
- Prepare the arrangements for the admission of pupils with SEND and the facilities provided to enable access to the school for pupils with disabilities.
- Prepare the accessibility plan showing how the school intends to progressively improve access over time.
- Publish annual information, setting out the measures and facilities to assist access for pupils with disabilities.

- Publish annual information about the arrangements for the admission of pupils with disabilities, the steps taken to prevent pupils being treated less favourably than others, the facilities provided to assist pupils with SEND, and the school's accessibility plan.
- Develop complaints procedures which, along with details about appealing to the SEND tribunal, will be made known to parents/carers and pupils through a single point of access.
- Provide suitable, full-time education from the sixth day of a fixed permanent exclusion of a pupil with SEND, in line with their EHC plan.
- Ensure arrangements are in place to support pupils at school with medical conditions.
- Cooperate with the LA in drawing up and reviewing the Local Offer.
- Appoint an individual governor or sub-committee to oversee the school's arrangements for SEND.
- Prepare the SEN information report and publish it on the website.

### **8.2 The Headteacher has a responsibility to:**

- Ensure that those teaching or working with pupils with SEND are aware of their needs, and have arrangements in place to meet them.
- Ensure that teachers monitor and review pupils' progress during the course of the academic year.
- Cooperate with the LA during annual EHC plan reviews.
- Ensure that 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, in a similar way to other important strategic roles within the school.
- Appoint a designated teacher for looked after children, who will work closely with the SENCO to ensure that the needs of the pupil are fully understood by relevant school staff.
- Regularly and carefully review the quality of teaching for pupils at risk of underachievement, as a core part of the school's performance management arrangements.
- Ensure that teachers understand the strategies to identify and support vulnerable pupils, and possess knowledge of the types of SEND most frequently encountered.
- Ensure that procedures and policies for the day-to-day running of the school do not directly or indirectly discriminate against pupils with SEND.
- Take steps to ensure that pupils and parents/carers are actively supported in contributing to needs assessments, and developing and reviewing EHC plans.
- Establish and maintain a culture of high expectations and include young people with SEND in all opportunities available to other pupils.

- Consult health and social care professionals, pupils and parents/carers to ensure the needs of children with medical conditions are effectively supported.
- Keep parents/carers and relevant teachers up-to-date with any changes or concerns involving the pupil.
- Identify any patterns in the identification of SEND within the school and in comparison with national data.

### **8.3 The SENCO has a responsibility to:**

- Be a qualified teacher.
- Achieve the National Award in Special Educational Needs Coordination within three years of appointment, where they have not previously acted as SENCO at another school for longer than 12 months. The National Award must be a postgraduate course accredited by a recognised higher education provider.
- Collaborate with the Trust Board and Headteacher, as part of the school leadership team, to determine the strategic development of SEND policy and provision in the school.
- Work with the school Trustees and the Headteacher to ensure that the school meets its responsibilities under the Equality Act 2010 with regard to reasonable adjustments and access arrangements.
- Undertake day-to-day responsibility for the operation of the SEND policy.
- Coordinate the specific provision made to support individual children with SEND, including those with EHC plans.
- Liaise with the relevant, designated teacher where a looked after pupil has SEND.
- Advise on a graduated approach to providing SEND support.
- Advise on the deployment of the school's delegated budget and other resources to meet pupils' needs effectively.
- Liaise with the parents/carers of pupils with SEND.
- Liaise with early years providers, other schools, educational psychologists, health and social care professionals, and independent or voluntary bodies.
- Be a key point of contact with external agencies, especially the LA and LA support services.
- Liaise with the potential future providers of education to ensure that the pupil and their parents are informed about options and a smooth transition is planned.
- Draw up a one-page profile of the pupil with SEND.
- Provide professional guidance to colleagues and work closely with staff members, parents/carers and other agencies, including SEND charities.
- Be familiar with the provision in the Local Offer and be able to work with professionals providing a supporting role to the family.
- Ensure, as far as possible, that pupils with SEND take part in activities run by the school, together with those who do not have SEND.

- Ensure that the school keeps the records of all pupils with SEND up-to-date.
- Inform the parents/carers of pupils with SEND that SEND provision is being made where the pupil does not have an EHC plan.
- Identify any patterns in the identification of SEND within the school and in comparison with national data.
- Support the class/subject teacher in the further assessment of a pupil's particular strengths and weaknesses, and advise on effective implementation of support.

#### **8.4 Class/subject teachers have a responsibility to:**

- Plan and review support for their pupils with SEND on a graduated basis, in collaboration with parents/carers, the SENCO and, where appropriate, the pupils themselves.
- Set high expectations for every pupil and aim to teach them the full curriculum, whatever their prior attainment.
- Plan lessons to address potential areas of difficulty to ensure that there are no barriers to every pupil achieving, and every pupil with SEND will be able to study the full national curriculum.
- Be responsible and accountable for the progress and development of the pupils in their class.
- Be aware of the needs, outcomes sought, and support provided to any pupils with SEND they are working with.
- Keep Key Stage Leaders up-to-date with any changes in behaviour, academic developments and causes of concern.

## **9. Involving pupils and parents/carers in decision-making**

- 9.1. Parents/carers of pupils with SEND are encouraged to share their knowledge of their child; the Headteacher and SENCO will aim to give them the confidence that their views and contributions are valued and will be acted upon.
- 9.2. Parents/carers will always be formally notified when the school provides their child with SEND support.
- 9.3. Decisions on whether the school will commission added provisions will be discussed thoroughly with the LA, parents/carers and, when/where appropriate, the pupil involved.
  - Decisions about education will not unnecessarily disrupt a pupil's education or any health treatment underway.
- 9.4. The planning that Rainbow Primary School implements will help parents/carers, children and young people with SEND express their needs, wishes and goals, and will:

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

9.5. The class teacher, supported by the SENCO, will meet with pupils, and parents/carers of pupils receiving SEND support more than three times a year to set clear outcomes, review progress, discuss activities and support, and identify parental responsibilities.

## **10. Joint commissioning, planning and delivery**

- 10.1. Rainbow Primary School is committed to ensuring that pupils with SEND are able to achieve their ambitions and the best possible educational outcomes, as well as other such as securing employment and living as independently as possible. The school works closely with local education, health and social care services to ensure pupils get the right support.
- 10.2. Rainbow Primary School assists 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).
- 10.3. Rainbow Primary School will draw on the wide range of local data-sets about the likely education needs of children and young people with SEND to forecast future need, 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 children with SEND.
  - An analysis of local challenges/sources of health inequalities.
- 10.4. 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 and young people with SEND.
  - Increasing the proportion of children with SEND whose needs are identified prior to school entry.
- 10.5. Where pupils with SEND also have a medical condition, their provision will be planned and delivered in coordination with the healthcare plan.
- 10.6. SEND support will be adapted and/or replaced depending on its effectiveness in achieving the agreed outcomes.

## 11. Funding

- 11.1. Rainbow Primary School will allocate the appropriate amount of core per-pupil funding and notional SEND budget outlined in the Local Offer for the SEND provision of its pupils.
- 11.2. Personal budgets are allocated from the LA's high needs funding block; the school will continue to make SEND provision from its own budgets, even if a pupil has an EHC plan.

## 12. Local Offer

- 12.1. In the developing and reviewing the Local Offer the school will adopt the following approach:
- 12.1.1. **Collaborative:** The school will work with LAs, parents and pupils in developing and reviewing the Local Offer. The school must also co-operate with those providing services.
- 12.1.2. **Accessible:** The published Local Offer will be easy to understand, factual and jargon free. It is structured in a way that relates to pupils' and parents' needs (for example by broad age group or type of special educational provision). It will be well signposted and well publicised.
- 12.1.3. **Comprehensive:** Parents and pupils will know 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 Local Offer will include eligibility criteria for services, where relevant, and make it clear where to go for information, advice and support, as well as how to make complaints about provision or appeal against decisions.
- 12.1.4. **Up-to-date:** When parents and pupils access the Local Offer it is important that the information is up-to-date.

## **13. Graduated approach**

- 13.1. Once a potential SEND has been identified, the school will employ the graduated approach to meeting the pupil's needs by:
- Establishing a clear assessment of the pupil's needs.
  - Planning, with the pupil's parents/carers, the interventions and support to be put in place, as well as the expected impact on progress, development and behaviour, along with a clear date for review.
  - Implementing the interventions, with the support of the SENCO.
  - Reviewing the effectiveness of the interventions, and making any necessary revisions.

## **14. Assessment**

- 14.1. The school will, in consultation with the pupil's parents/carers, request a statutory assessment of SEND where the pupil's needs cannot be met through the resources normally available within the school.
- 14.2. Consideration of whether SEND provision is required, and thus an EHC plan will start with the desired outcomes and the views of the parents/carers and pupil.
- 14.3. The school will meet its duty to respond to any request for information relating to a statutory assessment within six weeks of receipt.
- 14.4. The school will gather advice from relevant professionals about the pupil concerned, including 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.
- 14.5. In tracking the learning and development of pupils with SEND, the school will:
- Base decisions on the insight of the pupil and their parents/carers.
  - Set pupils stretching targets.
  - Track their progress towards these goals.
  - Review additional or different provision made for them.
  - Promote positive personal and social development outcomes.
  - Base approaches on the best possible evidence, and ensure that they are having the required impact on progress.
- 14.6. Detailed assessments will identify the full range of the individual's needs, not just the primary need.
- 14.7. Where possible, pupils' needs will be defined under the SEND Code of Practice broad areas of need:
- Communication and interaction
  - Cognition and learning

- Social, emotional and mental health difficulties
  - Sensory and/or physical needs
- 14.8. Where a pupil continually makes little or no progress, or is working substantially below expected levels, the school will consult with parents/carers before involving specialists.

## **15. Education health care (EHC) plans**

- 15.1. The school will fully cooperate with the LA when research about the pupil is being conducted.
- 15.2. The school will provide the LA with any information or evidence needed.
- 15.3. All relevant teachers will be involved in contributing information to the LA.
- 15.4. If the school decides to implement an EHC plan, the parents/carers and the pupil will be informed, including the reasons for this decision.
- 15.5. The school will meet its duty to provide parents/carers or the individual pupil with 15 calendar days to consider and provide views on a draft EHC plan.
- 15.6. If the decision is taken not to issue an EHC plan, the school will consider and implement the recommendations of feedback from the LA regarding how the pupil's outcomes can be met through the school's existing provision.
- 15.7. If the LA decides not to issue an EHC plan, the parents/carers of the pupil, or the pupil themselves, will be informed within a maximum of 16 weeks from the initial request of an EHC assessment.
- 15.8. The school will admit any pupil that names the school in an EHC plan or EHC needs assessment process.
- 15.9. The school will ensure that all those teaching or working with a pupil named in an EHC plan are aware of the pupil's needs and that arrangements are in place to meet them.
- 15.10. All reasonable provisions will be taken by the school in order to provide a high standard of education.
- 15.11. Relevant staff members will keep up-to-date with any necessary training.
- 15.12. Staff will be briefed about any potential problems and a procedure will be put into place to deal with certain situations.
- 15.13. The school will specify the outcomes sought for a pupil in terms of specific, measurable, achievable, realistic and time scaled (SMART) outcomes.
- 15.14. The school will ensure that each pupil's EHC plan includes the statutory sections outlined in the SEND Code of Practice, labelled separately from one another.

- 15.15. If a pupil's needs significantly change, the school will request a re-assessment of an EHC plan at least six months after an initial assessment.
- 15.15.1. Thereafter, the Trust Board or Headteacher will request the LA to conduct a re-assessment of a pupil whenever they feel it is necessary.
- 15.15.2. Following the re-assessment, a final EHC plan will be issued within 14 weeks from the request being made.
- 15.16. The school will ensure that any EHC plan information is kept confidential and on a need-to-know basis.
- 15.17. Information regarding a pupil's EHC plan will only be shared with other educational institutes if the pupil is transferring there, in order for the institute to develop an individual learning plan.
- 15.18. The school will take steps to ensure that pupils and parents/carers are actively supported in developing and reviewing EHC plans.
- 15.19. Where necessary, the school will provide support from an advocate to ensure the pupil's views are heard and acknowledged.
- 15.20. The school will ensure that parents/carers are consistently kept involved throughout the implementation of an EHC plan.
- 15.21. The school will ensure that the whole process of an EHC needs assessment and development takes no longer than 20 weeks from when the initial request was received.

## **16. Reviewing an EHC plan**

16.1. Rainbow Primary School will:

- Cooperate 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.
- Contribute any relevant information and recommendations about the EHC plan to the LA, keeping parents/carers involved at all times.
- Ensure that sufficient arrangements are put in place at the school to host the annual review meeting.
- Cooperate with the LA during annual reviews.
- Lead the review of the EHC plan in order to create the greatest confidence amongst pupils and their family.
- Seek advice and information about the pupil 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.

- Prepare and send a report of the meeting to everyone invited within four weeks of the meeting, which sets out any recommendations and amendments to the EHC plan.
- Provide the LA and parents/carers with any evidence to support the proposed changes and giving those involved at least 15 days to comment and make representations.
- Clarify to the parents and pupil that they have the right to appeal the decisions made in regards to the EHC plan.

## **17. Transferring between different phases of education**

- 17.1. An EHC plan must be reviewed and amended in sufficient time prior to a pupil moving between key phases of education, to allow for planning for and, where necessary, commissioning of support and provision at the new phase.
- 17.2. The review and any amendments must be completed by 15<sup>th</sup> December in the calendar year of the transfer at the latest for transfers into or between schools. The key transfers are the following:
- Early years provider to school
  - Infant school to junior school
  - Primary school to middle school
  - Primary school to secondary school – Autumn Term of Year 5
  - Middle school to secondary school

## **18. SEND tribunal**

- 18.1. All disagreements about an EHC plan will be attempted to be resolved as quickly as possible, without the pupil's education suffering.
- 18.2. In all cases, the school's written complaints procedure will be followed, allowing for a complaint to be considered informally at first.
- 18.3. Following a parent's/carers' serious complaint or disagreement about the SEND provisions being supplied to a pupil, the school will contact the LA immediately in order to seek disagreement resolution advice, regardless of whether an EHC Plan is in place.
- Where necessary, the Headteacher will make the relevant parties aware of the disagreement resolution service.
  - Parents/carers are made aware that Ofsted can consider complaints relating to whole school SEND early years provision, if the problem has not been resolved informally.
- 18.4. The school will meet any request to attend a SEND tribunal and explain any departure from its duties and obligations under the SEND Code of Practice.

- 18.5. Following the use of informal resolutions, the case will be heard in front of three people, who are independent of the management and running of the school.
- 18.6. If disagreements are not resolved at a local level, the case will be referred to the EFA.
- 18.7. The school will fully cooperate with the LA by providing any evidence or information that is relevant.
- 18.8. All staff involved in the care of the pupil will cooperate with parents/carers in order to provide the pupil with the highest standard of support and education.

## **19. Supporting successful preparation for adulthood**

- 19.1. The school will ensure that pupils are supported to make a smooth transition to whatever they will be doing next, e.g. moving on to higher education.
- 19.2. The school will engage with secondary schools and FE providers, as necessary, to help plan for any transitions.
- 19.3. The school will transfer all relevant information about pupils to any educational institution that they are transferring to.
- 19.4. If a pupil has been excluded, the school has a duty to arrange suitable, full-time education from the sixth day of a fixed period exclusion and to provide full details of any SEND provisions necessary, in accordance with the school's Exclusion Policy.
- 19.5. If it is in the best interest of the pupils, the school may commission alternative provision, in line with any EHC plans in place, for pupils who face barriers to participate in mainstream education.
- 19.6. The school will take an active role in preparing pupils with SEND for their transition into adult life, preparing them to achieve their ambitions in terms of higher education or employment, taking responsibility for their health, where they will live, their relationships, their finances, social integration and independence.
- 19.7. The school will ensure that it meets its duty to secure independent, impartial careers guidance for pupils in Years 8-13, including:
  - Discussing preparation for adulthood in planning meetings with pupils and parents/carers from Year 8.
  - Helping pupils and their families prepare for the change in legal status once a pupil is above compulsory school age.
  - Ensuring that careers advice and information provides high aspirations and a wide range of options for pupils with SEND.

- Helping pupils and parents/carers understand and explore how the support they will receive in school 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 pupils with SEND to make successful transitions.
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## **20. Data and record keeping**

20.1. The school will:

- 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 pupils.
- Maintain an accurate and up-to-date register of the provision made for pupils with SEND.
- Show all the provision the school makes which is different or additional to that offered through the school curriculum on a provision map.

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

20.3. The SEN information report will be prepared by the Trust Board, and will be published on the school website; it will include all the information outlined in paragraphs 6.79 and 6.83 of the SEND Code of Practice 2015.

## **21. Confidentiality**

21.1. The school will not disclose any EHC plan without the consent of the pupil's parents/carer, with the exception of disclosure:

- To a SEND tribunal when parents/carers appeal, and to the Secretary of State under the Education Act 1996.
- On the order of any court for the purpose of 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 pupil's application for students with disabilities allowance in advance of taking up a place in higher education.

- To the Headteacher (or equivalent position) of the institution at which the pupil is intending to start their next phase of education.

## **22. Resolving disagreements**

22.1. Rainbow Primary School is committed to resolving disagreements between pupils and the school. In carrying out of duties we:

- Support early resolution of disagreements at the local level.
- Explain the independent disagreement resolution arrangements in our Complaints Policy which is available for disagreements across special educational provision, and health and care provision in relation to EHC plans and tribunals.

## **23. Publishing information**

23.1. The school will publish information on our website about the implementation of the SEND Policy.

23.2. The Trust Board will publish details of the SEN Information Report on the website.

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

## **24. Monitoring and review**

24.1. The policy is reviewed on an annual basis by the Headteacher in conjunction with the SENDCO; any changes made to this policy will be communicated to all members of staff.

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

