



ST BRENDAN'S
SIXTH FORM COLLEGE

Faith in Learning

Special Educational Needs and Disability Policy

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SEND (Special Educational Needs and Disability) Policy 2019

1. Background

1.1 The College provides a range of support for students with additional needs, and for those who are considered to be disabled, mainly through the work of the Learning Development Team.

1.2 There have been two significant changes in the way that this area now operates, in that the Children Families Act 2014 extended the SEND legislation and Code of Practice to cover post-16 providers, so colleges are now bound by similar duties to schools. In addition, the funding mechanism changed so that the 'top up' funding for students with additional needs now comes from the Local Authority. This Policy reflects these changes in practice and duties.

1.3 Students identified with SEND who previously would have had a Statement of Educational Needs now have an Education Health and Care (EHC) Plan, which is designed to ensure their needs are met post-16, and if necessary, up to the age of 25 years.

1.4 This Policy compliments our Equality, Diversity and Inclusion Policy.

2. Definitions

The legislation uses the term 'SEND' in this way:

- A child or young person has SEN if they have a learning difficulty or disability which calls for special educational provision to be made for him or her
- A child or a young person has a learning difficulty or disability if he or she has a significantly greater difficulty in learning than the majority of others of the same age or
- has a disability which prevents or hinders him or her from making use of facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions

3. Statutory duties for post-16 institutions

3.1 As a Sixth Form College, we now have the following statutory duties which are detailed in the 0-25 SEND Code of Practice:

- To have regard to the SEND Code of Practice
- To co-operate with the local authority on arrangements for children and young people with SEND
- To admit a young person if the college is named in an Education Health and Care (EHC) plan
- To 'use our best endeavours to secure the special educational provision that the young person needs'. This applies to all students with SEN, whether or not the students have EHC plans.
- Under the Equality Act 2010, we must not discriminate against, harass or victimise disabled children or young people and must make reasonable adjustments to prevent them from being placed at a 'substantial disadvantage'.

3.2 This Equality Act duty is anticipatory, and is referred to in our Equality, Diversity and Inclusion Policy – it requires thought to be given in advance when planning any changes to provision or to the environment as to what disabled young people or adults might require and what adjustments might need to be made to enable them to have the best possible access to the facilities and college life.

4. Principles underlying this Policy

4.1 The Code of Practice describes the principles that should be observed by all institutions working with children and young people who have SEND. These are the principles that, as a College, we already work to, and consider to be good practice. They include:

- taking into account the views of the children and young people with additional needs and their families
- enabling children, young people and their parents/carers to participate in decision-making
- collaborating with partners in education, health and social care to provide support
- identifying the additional needs of children and young people
- making high quality provision to meet the needs of identified children and young people
- focusing on inclusive practices and removing barriers to learning
- helping children and young people to prepare for adulthood

4.2 The principles of inclusive practice will underpin all of our work with students with additional needs, and we will aim to provide support in a way that enables them to spend as much time as possible in the mainstream classroom interacting with their peers with discreet assistance, and will also do what we can to enable them to be included in the social and extra-curricular activities of the College.

4.3 Our EDI Policy also states that the College will continually review access to its buildings, information, curriculum and environment to ensure it complies with the law, and is accessible to the widest range of disabled people as possible, and will publish annual information about its access arrangements.

5. Admission arrangements

5.1 Every effort will be made to meet the needs of disabled students where they are identified at the admissions stage, and also to make adequate provision for those students whose additional needs only become evident during their course at the College. The responsibility of students to disclose any disability related issues or other additional needs and to avail themselves of the support available rests ultimately with the student.

5.2 Disabled students are considered for admission in accordance with the published policy, on the same terms as other students. Students are asked to declare if they are disabled or have a learning difficulty on their application form in order that the College can assess their needs and its ability to make 'reasonable adjustments', where necessary, to accommodate them.

5.3 Where a student has an Education Health Care Plan naming the College and the Local Authority agrees their High Needs funding, they will be considered as a Category 1 applicant in the admissions process.

5.5 All prospective students are invited to attend an Open Evening to look around the College and talk informally with teaching staff. Prospective students who have additional needs or are disabled, are invited to a transition event (applicants must make us aware of their needs during the application process). Those who wish to make a further visit (for example, to check access to particular facilities

or meet specialist staff not available on the Open Evening), may make arrangements through the Head of Learning Development and Safeguarding.

5.6 The application process for all students includes an interview (usually several months before admission) with a senior member of the College staff. At this interview, disabled students should discuss on an individual basis their particular needs and the additional support or other particular arrangements that may be available to them. The College may ask a student to attend a second interview in order to allow an assessment of need to be carried out by a specialist.

6. Working together across education, health and care for joint outcomes

6.1 The Children and Families Act 2014 is very clear that Local Authorities have a duty to ensure integration between educational provision and health and social care provision to promote the wellbeing and improve the quality of provision for disabled young people and those with additional needs. As a college, we also have a duty to co-operate with the Local Authority on the planning, commissioning and reviewing local services. This includes contributing to the Local Authority's Local Offer and taking part in wider strategic planning for further education in the local area.

7. The Local Offer

7.1 Local authorities have a duty to publish a Local Offer, setting out in one place information about provision they expect to be available in their area across education, health and social care for children and young people with additional needs, including those who do not have EHC plans. The College has to produce their contribution to this and publish it for applicants and their parent/carers. It is based on the template provided by Bristol Local Authority, and needs to be reviewed periodically

8. Support for Students with Additional Needs in College

8.1 Named SENCO

Colleges are now required to have a named designated person who is responsible for SEND provision (in schools this is often referred to as the SENCO or INCO). The designated person for the College is the Head of Learning Development and Safeguarding (HoLDS), who also has responsibility for the day to day implementation of this Policy.

8.2 Identifying 'SEN'

The College has a place a range of procedures to try and identify students with the range of additional needs as early as possible (through the application form, initial interview and detailed questioning at enrolment). Where early identification is possible, the Head of Learning Development and Safeguarding will meet with the student (and parent/carer where appropriate) prior to attending college, liaise with their school and co-operate with the Local Authority on the review of their EHCP in order to support a smooth transition into college .

Students identified as having additional needs are also targeted for an early initial early meeting with their Academic Mentor and any relevant issues should be referred immediately to the Learning Development Team. Teaching staff should also refer students to the Team where they believe they have unmet needs.

All students will undertake an initial assessment of their numeracy and literacy skills before they start at the College to ascertain the level of additional support they require in these areas to access the curriculum at the agreed level.

8.3 High quality study programmes for students with additional needs

All students aged 16-19 (and, where they have an EHC plan, up to the age of 25) should follow a coherent study programme which provides stretch and progression and enables them to achieve the best possible outcomes in adult life in the same way as their peers. We expect all students to take substantial qualifications, study English and maths to the appropriate level, and to participate in meaningful employability and enrichment activity. Reasonable adjustments to the study programme may be made in particular circumstances for students with additional needs if agreed with the Learning Development Manager.

8.4 On-going Support

The Learning Development Team will carry out an assessment of the student's needs and recommend strategies to be put in place both inside and outside the classroom. Where there is an EHC Plan, they will address the recommendations included. The needs of the students and their outcomes will be reviewed regularly (at least termly) by the Team, and any students with particularly complex needs will be referred to the Complex Needs Panel for monitoring.

Where a student has been absent for some time, or has on going health or disability issues, a Fitness to Study (Health and Wellbeing Plan) will be agreed by the Learning Development Manager in consultation with the teaching staff.

The College will involve the student and their parent/ carer in the planning of their support from the start, and will always be aiming for the young person to have as much involvement in the decision making about their support as is possible.

The College will ensure that staff in the Learning Development Team have the specialist training that is required to meet the needs of the students in the College. This may require external training or professional development and Inset relating to particular disability issues or conditions, or training on good practice in meeting different needs. The team will work with curriculum and support staff to ensure that they also have the relevant up to date knowledge and skills, have the confidence to work with a range of students, and are aware of effective practice.

8.5 Student Centred approach

After the end of the academic year in which they turn 16, the right to make requests and decisions under the Children and Families Act 2014 applies to young people directly, rather than to their parents/carers. Parents/carers, or other family members, can continue to support young people in making decisions, or act on their behalf, provided that the young person is happy for them to do so, and it is likely that they will remain closely involved in the great majority of cases.

The College will work mainly with the student themselves to ensure that they understand how they can access support and what help is available, and are part of all decision making related to their time at College. However, we will continue to involve parent/carers at key reviews and meetings unless the student requests us not to do so.

8.6 Expertise within and beyond the college

The college will work closely with external specialist services and expertise. These can include, for example, educational psychologists, Sensory Impairment Team, Child and Adolescent Mental Health Services (CAMHS), and health therapists etc. They will be involved at any point to provide help or advice on the best way to support a student with additional needs.

8.7 Transition to adulthood

The College has high aspirations for all its students and will work with those with additional needs to prepare them for transition into adulthood, HE work etc. We will help them to take as much control as possible over their support so that they are able to secure the assistance they need to move to the next stage of their lives, whether it is work, Higher Education or other training. Where appropriate we will support students to gain independent living skills and to be prepared the next stage of their lives e.g. navigating personalised budgets, Disabled Students' Grants and adult support services.

We will use their reviews to ensure their transition out of College is smooth and they have support from other agencies once they leave. We will also ensure that they are able to access bespoke Careers education, Information Advice and Guidance while they are at the College.

8.8 Examination Arrangements

Students who believe they need particular examination arrangements for any reason relating to additional needs, should identify this need on their application forms, or as soon as possible thereafter.

Where appropriate, the College will apply to the relevant Examination Board for particular examination arrangements to be made, but the final decision in each case rests with the Board. Students for whom particular arrangements have been approved by the Examination Board are normally allowed similar arrangements in the corresponding internal examinations.

Where particular arrangements are to be sought because of a student's learning difficulty, the College can arrange an assessment where this is necessary. Students may be asked to provide reports of earlier assessments to give further support to the application. Where particular arrangements are to be sought for other reasons (e.g. long-term medical conditions) students may be asked to provide evidence such as a letter from a doctor.

8.9 Record keeping

The College keeps details of the students' needs on the Health section of Civica, unless the information is considered to be sensitive. Other confidential information is kept safely electronically and in hard copy by the Learning Development team. This includes information about the student's additional needs, interventions and the support of specialists. The information is used as part of regular discussions with the student and, where appropriate, the family, about the student's progress, the expected outcomes and planned next steps.

8.10 Funding

Currently, the College is allocated an amount of Element 2 funding from the ESFA based on the lagged number of students agreed with the Local Authority to have 'High Needs'. There is then an annual process to negotiate with each LA for the Element 3 'top up' funding for those students whose support levels are deemed to be 'high needs'. The College will submit claims for funding for students as soon as it is possible to agree their place and to assess their needs.

The funding for support for students with a wider range but lower level of additional needs, who do not have a EHC Plan, will be met from mainstream resources including the College's Disadvantage Funding. This will include generic Learning Development support for students working on a Level 2 programme and students who need additional help with literacy, numeracy and study skills.

8.11 Careers Education, Information Advice and Guidance (CEIAG)

All colleges have a duty through their funding agreements to ensure that students are provided with independent careers advice. We will work with our students with additional needs to ensure that they can access all of the CEIAG support available from the specialist team and the tutorial programme and will provide bespoke individual advice and guidance where required. This will include support to gain work experience and volunteering opportunities to enhance their employability.

Additional support with applications to Higher Education and the UCAS process will be available through the Academic Mentoring Team, and this may include mentoring, coaching and access to widening participation programmes where appropriate.

8.12 Education, Health and Care assessments and plans

We are required to 'co-operate with Local Authorities in carrying out needs assessments for students, and in the development and review of EHC plans'. It is likely that most student who require High Needs funding will have already been receiving support at school, whether informally or through an EHC Plan. However, if a student, their parent/carers, or a member of staff believes that a student may have additional needs that would be considered to be SEND under the Act, the College will ask the local authority to carry out an EHC needs assessment, with the knowledge and agreement of the student. (The student themselves can also ask the LA for a needs assessment at any point prior to their 25th birthday, provided one has not been carried out in the previous six months).

8.13 Being named in an EHC Plan

A young person has the right to request a particular school or college to be named in their EHC Plan and the local authority has a duty to consult that college about admitting the young person and to name the college in the EHC plan, unless:

- 'it would be unsuitable for the age, ability, aptitude or SEN of the young person, or the attendance of the young person there would be incompatible with the efficient education of others or the efficient use of resources'

Once the college is named in the EHC plan, it must admit the young person.

8.14 Providing the support specified in the EHC plan

Section F of the EHC plan specifies the 'special educational provision' required by the young person to meet their needs and help them to achieve their desired outcomes. The College should have been involved in the development or review of the EHC plan to determine what can be provided from within the college's own resources and what will require additional external expertise or further funding from the LA. Some of the provision specified may be procured by the young person themselves using a Personal Budget, including by a direct payment.

8.15 Reviewing an EHC plan

Local authorities have a duty to review EHC plans as a minimum every twelve months, and colleges must co-operate in these reviews. Reviews must focus on the young person's progress towards achieving the outcomes specified in the EHC plan and must also consider whether these outcomes and supporting targets remain appropriate, and must look towards preparation for adulthood and transition.

The LA may request (but cannot require) that the college convenes and holds the review meeting on their behalf. We may also be asked to attend review meetings for young people who have EHC plans and are still at school, particularly where the young person has expressed a preference for a place here, in order to help plan their transition to the next phase of education.

8.16 Resolving disagreements

Any complaints about the SEND provision at the College should be made using the usual Complaints Procedure. Concerns should be raised initially directly with the Head of Learning Development and Safeguarding. This does not include complaints relating to EHC Plans, which students and their families should take up with the LA that issued the Plan.

If a student or their parents/carers disagree with the LA about a decision taken in relation to an EHC needs assessment or EHC Plan, they can appeal to the First-tier Tribunal (Special Educational Needs and Disability), having first contacted an independent mediation adviser.

9. Responsibility for Monitoring the Policy

The Governing Body will review the Policy at least every three years. Responsibility for the strategic direction of SEND Policy and practice within the College lies with the Senior Management Team, and responsibility for the day to day implementation lies with the Head of Learning Development and Safeguarding

Related Policies and Statutory Guidance

This Policy compliments existing the following College Policies:

- Equality, Diversity and Inclusion Policy 2018
- Health and Safety Policy 2018
- Equality Scheme 2018/19
- Safeguarding Children and Vulnerable Adults Policy 2018
- Preventing Bullying and Harassment Policy (Students) 2018

It is informed by the following key documents:

0-25 Special Educational Needs and Disability Code of Practice

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND_Code_of_Practice_January_2015.pdf

Apprenticeships, Skills and Learning Act 2009

<http://www.legislation.gov.uk/ukpga/2009/22/contents>

Children and Families Act 2014

<http://www.legislation.gov.uk/ukpga/2014/6/contents/enacted>

Education Act 1996

<http://www.legislation.gov.uk/ukpga/1996/56/contents>

Equality Act 2010

<http://www.legislation.gov.uk/ukpga/2010/15/contents>

Special Educational Needs (Personal Budgets) Regulations 2014

<http://www.legislation.gov.uk/ukdsi/2014/978011114056>

Special Educational Needs and Disability Regulations 2014

<http://www.legislation.gov.uk/uksi/2014/1530/contents/made>