



**HURLINGHAM  
SCHOOL**

# **Learning Difficulties and/or Disabilities and Special Educational Needs Policy**

This policy is made available to all parents, prospective parents, staff and prospective employees of Hurlingham School on our website, and a hard copy can also be viewed at our School Office.

This policy applies to all activities of Hurlingham School, including the Early Years Foundation Stage (EYFS) Nursery and Reception pupils.

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## **Statement of intent**

Hurlingham School values all pupils and celebrates diversity of experience, interest and achievement. All pupils need to experience praise, recognition and success, and pupils with SEND have equal entitlement to this.

This policy outlines the framework for the school to meet its duty, obligation and principal equality values to provide a high-quality education to all of its pupils, including pupils with 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.

The school will work with the LA, or equivalent, within the following principles, which underpin this policy:

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

### **1. Legal framework**

This policy has due regard to all relevant legislation including, but not limited to, the following:

- Children and Families Act 2014
- Health and Social Care Act 2012
- Equality Act 2010
- The Equality Act 2010 (Disability) Regulations 2010
- Education Act 1996
- Education Act 2002
- Mental Capacity Act 2005
- Children Act 1989
- The Special Educational Needs and Disability (Amendment) Regulations 2015
- The Special Educational Needs (Personal Budgets) Regulations 2014
- The Special Educational Needs and Disability (Detained Persons) Regulations 2015
- Local Government Act 1974
- Disabled Persons (Services, Consultation and Representation) Act 1986
- Data Protection Act 2018
- The UK General Data Protection Regulation (GDPR)

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

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

This policy operates in conjunction with the following school policies:

- Admissions Policy
- Equal Opportunities Policy
- Data Protection Policy
- Records Management Policy
- Social, Emotional and Mental Health (SEMH) Policy
- First Aid and Medical Policy
- Safeguarding and Child Protection Policy
- Careers Policy
- Behaviour, Rewards, Sanctions, Discipline and Exclusion Policy
- Complaints Procedures Policy
- Accessibility Plan

## **2. Identifying SEND**

The school has a clear approach to identifying and responding to SEND, and recognises that early identification and effective provision improves long-term outcomes for the pupils.

With the support of the SLT, teachers will conduct regular progress assessments for all pupils, with the aim of identifying pupils who are making less than expected progress.

‘Less than expected progress’ will be characterised using the following stipulations:

- Progress is significantly slower than the class average, from the same baseline
- Progress does not match or better the pupil’s previous rate of progress
- Progress fails to close the attainment gap within the class
- The attainment gap is widened by the plateauing of progress

## **3. Definitions**

**Learning Difficulties and/or Disabilities (LDD)** is the term applied to any child who has a learning difficulty which calls for a special educational provision to be made.

**Special Educational Need (SEND)** has a legal definition which says that children with special educational needs have Learning Difficulties and or Disabilities that make it harder for them to learn than the majority of children of the same age. These children will need extra or different help from that given to other children of the same age. The term SEN is applied to children who have an Educational Health and Care Plan (EHC) funded by the Local Authority and others with learning difficulties.

**Educational Health and Care Plan (EHCP)** is a document drawn up by the Local Authority after completing a formal assessment of a child. It will be written once the LA has concluded that the Special Educational provision necessary to meet that child’s needs cannot reasonably be provided within the resources normally available to mainstream schools within the area. It will state the required provision which the LA monitors through the annual review process.

**Provision** is any support that is made for children which is additional to or different from that which is generally made for pupils of the same age

**Continuing Professional Development (CPD)** refers to training provided for teaching staff

**An Individual Education Plan (IEP)** is a written document which gives targets for an individual child and a time frame in which it is hoped these targets will have been achieved.

**Local Authority (LA)** this may be Wandsworth or the local authority where the child has permanent residence e.g. Fulham, Merton

**English as an Additional Language (EAL)** refers to children whose first language is not English

**National Health Service (NHS)**

**Looked After Child (LAC)** a child is looked after by an authority if he or she is in their care **or PLAC (Previously Looked After Child)** refers to a child who has previously been in care.

For this policy, a pupil is defined as having SEND if they have a:

- Significantly greater difficulty in learning than most others of the same age.
- Disability or health condition that prevents or hinders them from making use of educational facilities used by peers of the same age.

Under the Equality Act 2010, a disability is a physical or mental impairment which has a long-term and substantial adverse effect on a person's ability to carry out normal day-to-day activities.

The school reviews how well equipped we are to provide support across the following areas:

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

### **Communication and interaction**

Pupils with speech, language and communication needs (SLCN) have difficulty in communicating with others, often because they have difficulty saying what they want, they cannot understand what is being said to them, or they do not understand or use social rules of communication.

The school recognises that:

- Pupils with Autism Spectrum Disorder (ASD), including Asperger's Syndrome and Autism, can have particular difficulties with social interaction.
- The profile for every pupil with SLCN is different and their needs may change over time. They may have difficulty with one, some, or all the different aspects of speech, language or social communication at different times of their lives.

The SENCO will work with pupils, parents, and language and communication experts where necessary to ensure pupils with SLCN reach their potential.

### **Cognition and learning**

The school understands that learning difficulties cover a wide range of needs, such as moderate learning difficulty (MLD), severe learning difficulty (SLD) and profound and multiple learning disabilities (PMLD). The Head of Learning Support will ensure that any provision offered will be suitable to the needs of the pupil.

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

### **Social, Emotional and Mental Health (SEMH) difficulties**

Pupils may experience a wide range of social and emotional difficulties that manifest themselves in many ways, including becoming withdrawn or isolated, or displaying challenging, disruptive and disturbing behaviour. The school recognises that these behaviours may reflect underlying mental health difficulties such

as anxiety or depression, and the school will implement the Social, Emotional and Mental Health (SEMH) Policy to support pupils with these difficulties.

The school will ensure that provisions and allowances are made for the ways in which these mental health difficulties can influence the behaviour of pupils with SEND within its Behavioural Policy, including how we will manage the effect of any disruptive behaviour so that it doesn't adversely affect other pupils.

We also recognise that challenging, disruptive and disturbing can be forms of expression for pupils with ASD or ADHD traits and ensure that provision is in place to support the child within the school context

### **Sensory or physical needs**

Impairments that prevent or hinder pupils from using the school facilities, such as vision impairment (VI), do not necessarily have SEND. The school will ensure staff understand that:

- Some conditions can be age-related and can fluctuate over time.
- A pupil with a disability is covered by the definition of SEND if they require special educational provision.

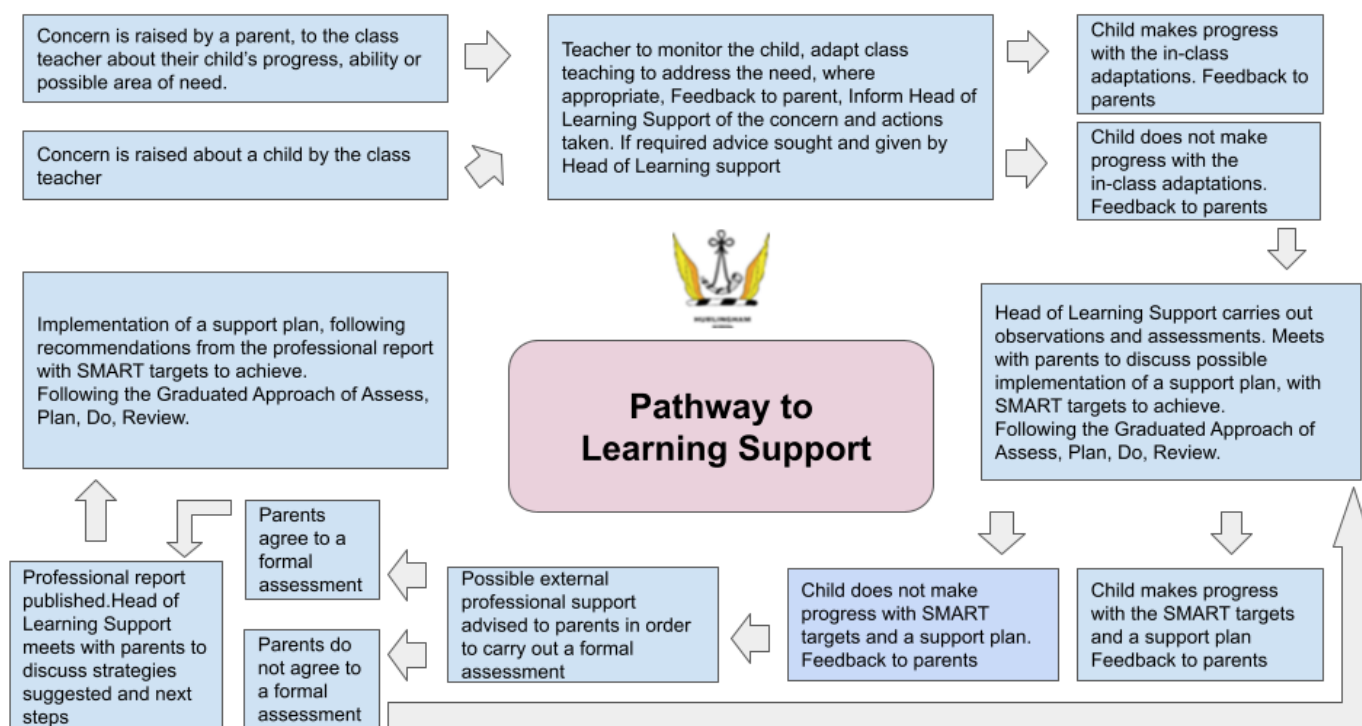
The school recognises, however, that pupils who have sensory or physical impairments may require specialist support or equipment to access their learning, regardless of whether or not their impairment falls under the SEND definition. The Head of Learning Support will identify any reasonable adjustments which are required and, wherever possible and practical, the School will try to implement these.

## **4. Objectives**

The school will meet the core aims of this policy by achieving the following strategic and measurable objectives:

- To follow the graduated approach outlined in the DfE's 'Special educational needs and disability code of practice: 0 to 25 years'
- To monitor the progress of all pupils to aid the earliest possible identification of SEND

To ensure that every child at Hurlingham School is able to reach their full academic potential with self-confidence and self-esteem at the centre of their learning. This will be achieved through a supportive environment and by building a positive attitude towards learning.



## 5. Roles and responsibilities

The Principal on behalf of the Board of Directors will be responsible for:

- Ensuring that effective provision is in place for all pupils with SEND, whether or not they have an EHC plan.
- Designating an appropriate member of staff to be the SENCO and having responsibility for coordinating provision for pupils with SEND.
- Appointing a designated teacher for LAC, where appropriate.
- Ensuring that, wherever possible and practical, reasonable adjustments are made for pupils with disabilities to help alleviate any substantial disadvantage they experience because of their disability.
- Taking necessary steps to ensure that pupils with disabilities are not discriminated against, harassed or victimised, e.g. in line with the Equal Opportunities Policy: Pupils.
- Regularly monitoring the school's policies and procedures, to review their impact on pupils with SEND, including on their mental health and wellbeing.
- Preparing the Accessibility Plan, showing how the school intends to progressively improve access over time.
- Ensuring arrangements are in place to support pupils at school with medical conditions, in line with the school's Supporting First Aid and Medical Policy.
- Ensuring that the school's Child Protection and Safeguarding Policy addresses additional safeguarding challenges that children with SEND may face.

The DSL will be responsible for:

- Liaising with the Head to inform them of any issues, especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations regarding pupils with SEND.
- Liaising with the relevant staff on matters of safety, safeguarding and welfare, including online and digital safety regarding pupils with SEND.
- Liaising with the SENCO where appropriate regarding safeguarding concerns for a pupil with SEND.
- Promoting supportive engagement with parents and/or carers in safeguarding and promote the welfare of pupils with SEND, including where families may be facing challenging circumstances.

- Working with the Head and relevant strategic leads, taking lead responsibility for promoting educational outcomes by knowing the welfare, safeguarding and child protection issues that pupils with SEND are experiencing or have experienced, and identifying the impact that these issues might be having on pupil's attendance, engagement and achievements.
- Recognising the additional risks that pupils with SEND face online, e.g., from online bullying, grooming and radicalisation, and ensuring they have the capability to support pupils with SEND to stay safe online.

The Head will be responsible for:

- Ensuring that those who are teaching or working with pupils with SEND are aware of their needs and have arrangements in place to meet them.
- Ensuring that teachers monitor and review pupils' progress during the academic year.
- Ensuring that the SENCO has sufficient time and resources to carry out their functions.
- Providing the SENCO with sufficient administrative support and time away from teaching to enable them to fulfil their responsibilities.
- Regularly and carefully reviewing the quality of teaching for pupils at risk of underachievement, as a core part of the school's performance management arrangements.
- Ensuring that teachers understand the strategies to identify and support vulnerable pupils.
- Ensuring teachers have an established understanding of different types of SEND.
- Ensuring that procedures and policies for the day-to-day running of the school do not directly or indirectly discriminate against pupils with SEND.
- Ensuring that pupils with SEND and their parents are actively supported in contributing to needs assessments, and developing and reviewing EHC plans.
- Establishing and maintaining a culture of high expectations and including pupils with SEND in all opportunities available to other pupils.
- Ensuring that the approach to the curriculum includes how it is made accessible for pupils with SEND.
- Consulting health and social care professionals, pupils, and parents to ensure the needs of pupils with medical conditions are effectively supported.
- Keeping parents and relevant teachers up-to-date with any changes or concerns involving a pupil.
- Reporting to the Board of Advisors on the impact of SEND policies and procedures, including on pupils' mental health and wellbeing.
- Ensuring that the SENCO is provided with training, with an emphasis on mental health, on an annual basis.

The SENCO/ Head of Learning Support will be responsible for:

- Collaborating with the Principal and Head to determine the strategic development of the SEND policy and provision in the school.
- Working with the Principal and the Head to ensure that the school meets its responsibilities under the Equality Act 2010, regarding reasonable adjustments and access arrangements.
- The day-to-day operation and implementation of the SEND policy.
- Coordinating the specific provision made to support individual pupils with SEND, including those with EHC plans.
- Cooperating with the LA during annual EHC plan reviews.
- Liaising with the relevant, designated teachers where LAC have SEND.
- Advising on a graduated approach to providing SEND support.
- ~~Advising on the deployment of the school's delegated budget and other resources to meet pupils' needs effectively.~~
- Liaising with the parents of pupils with SEND.



- Liaising with early years providers, other schools, educational psychologists, health and social care professionals, and independent or voluntary bodies, as required.
- Being a key point of contact for external agencies, ~~especially the LA and LA support services.~~
- Liaising with the potential future providers of education to ensure that pupils and their parents are informed about the options, and a smooth transition is planned.
- Drawing up a passport of a pupil with SEND.
- Providing professional guidance to colleagues and working closely with staff members, parents and other agencies, including SEND charities.
- Being familiar with the provision in the Local Offer and being able to work with professionals who are providing a supporting role to the family.
- Ensuring, as far as possible, that pupils with SEND take part in activities run by the school, together with those who do not have SEND.
- Ensuring that the school keeps the records of all pupils with SEND up-to-date, in line with the school's Data Protection Policy.
- Informing the parents of pupils with SEND, who do not have an EHC plan, that SEND provision is being made within School or to discuss arranging one-to-one support where appropriate..
- Participating in training and CPD opportunities, some of which emphasise mental health to a greater extent.
- Providing training to relevant class teachers.
- Supporting teachers in the further assessment of a pupil's particular strengths and weaknesses, and advising on effective implementation of support.

Teachers will be responsible for:

- Planning and reviewing support for pupils with SEND on a graduated basis, in collaboration with parents, the SENCO and, where appropriate, the pupils themselves.
- Setting high expectations for every pupil and aiming to teach them the full curriculum, whatever their prior attainment.
- Planning lessons to address potential areas of difficulty to ensure that there are no barriers to every pupil achieving.
- Ensuring every pupil with SEND is able to access the curriculum.
- Being accountable for the progress and development of the pupils in their class.
- Being aware of the needs, outcomes sought, and support provided to any pupils with SEND they are working with.
- Understanding and implementing strategies to identify and support vulnerable pupils with the support of the SENCO.
- Keeping the relevant figures of authority up-to-date with any changes in behaviour, academic developments and causes of concern. The relevant figures of authority include the Head.

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## **7. Children with specific circumstances**

### **LAC**

Pupils 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 pupils that have SEND are more likely to be 'looked after', and it is likely that a significant proportion of them will have an EHC plan.

The school has a designated member of staff for coordinating the support for LAC.

Where that role is carried out by a person other than the SENCO, designated teachers will work closely with the SENCO to ensure that the implications of a child being both looked after and having SEND are fully understood by relevant school staff.

## **EAL**

The school will give particular care to the identification and assessment of the SEND of pupils whose first language is not English.

The school will consider the pupil within the context of their home, culture and community.

The school appreciates having EAL is not equated to having learning difficulties. At the same time, when pupils with EAL make slow progress, it will not be assumed that their language status is the only reason; they may have SEND.

The school will look 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 English or arise from SEND.

See the Schools **EAL Policy**.

## **8. Individual Learning Support**

Wherever possible the School will support the pupil within School in the classroom or in a small group. However, in some cases it may be judged that the pupil would benefit from some individual learning support if:

- a child is not making sufficient progress towards the support targets set in the classroom
- individual learning support is recommended in an Educational Psychologist report it will only be provided in school if a child is not making sufficient progress towards the support targets already set in the classroom

Any individual intervention will be to address SMART targets with the aim of getting the child back into the classroom for targeted and differentiated support as soon as possible:

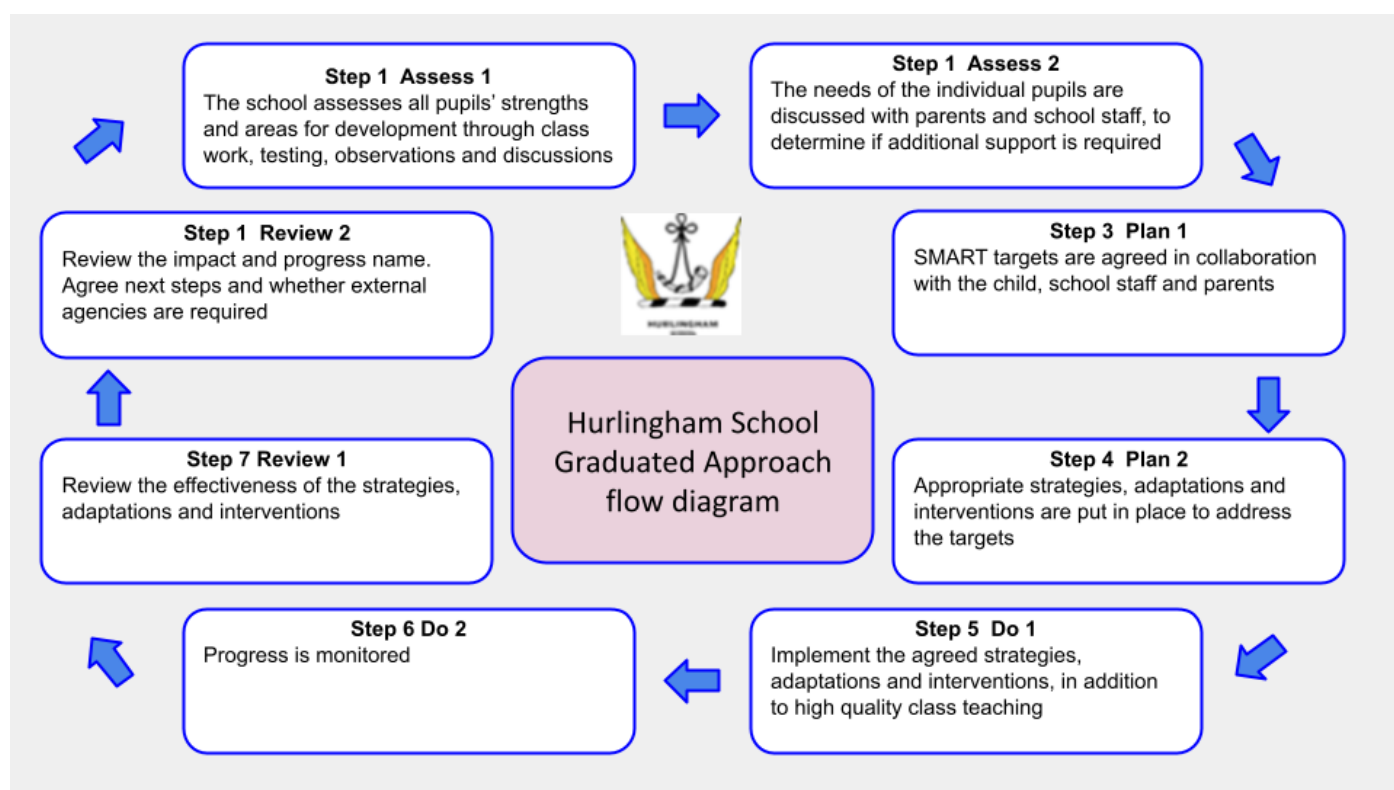
- Specific
- Measurable
- Attainable
- Relevant
- Time based

Individual Learning Support will be delivered on a termly basis with an end of term review to include parents before deciding whether to continue into the next term.

Individual Learning Support lessons are not included as part of Hurlingham School Fees and will be charged for by the Learning Support Teacher who gives the lessons

Parents may choose to have individual learning support provided outside school

## 9. Graduated approach



Once a pupil with SEND has been identified, the school will employ a graduated approach to meet the pupil's needs by:

- Establishing a clear assessment of the pupil's needs.
- Planning, with the pupil's parents, 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.

## 10. Identification, Assessment and Parental Involvement

Children who may require learning support are identified in a variety of ways including:

- Information from previous schools prior to entry
- Any existing reports and external assessments
- Baseline assessment on entry to school
- Identification of pupils' needs within the school, based on observations and assessments
- Subsequent assessments and classroom assessments
- Referral by a teacher, parent/carer or other adult of any concerns regarding a child's learning or progress
- Use of external assessments such as Speech and Language Therapists, Occupational Therapists or Educational Psychologists

Parents are involved at every level of learning support assessment. For example, parents are consulted at each stage of the process of seeking advice from outside agencies such as educational psychologists. The extent of the learning support required may be obvious from the outset or may emerge over time.

The cost of any assessments carried out by outside agencies are the responsibility of the parents.

An IEP or passport will be written, detailing individual targets and a time frame in which it is hoped these targets will be achieved. A review date will be set.

All children and parents are actively involved at all stages of the learning support process within our school and there is regular monitoring of progress and performance of each individual child on the LDD or SEN register.

IEPs or passports are reviewed on a termly basis, or more frequently, to decide if the child should continue at that level of support, cease to receive learning support or move on to another level of support.

The School will advise parents on any special arrangements which should be considered in relation to examinations and the 11+ transfer.

## **11. Training**

Staff will attend Learning Support and SEND courses which are of interest and have a particular bearing on children they are supporting.

The SENDCo (Head of Learning Support) will provide appropriate Learning Support and SEND staff INSET.

Staff are given regular support to develop their confidence and skills in working with children in class who are SEND or require Learning Support.

Information and resources are available on the staff EVERY portal.

## **12. EHC plans**

Where it is considered appropriate to apply for an EHC plan from the LA for a pupil following a discussion with the pupils parents, the school will fully cooperate with the LA when research about the pupil is being conducted. The school will provide the LA with any information or evidence needed. All relevant teachers will be involved in contributing information to the LA.

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

The school will meet its duty to provide views on a draft EHC plan within 15 days. If the decision is taken not to issue an EHC plan, the school will consider and, where possible, implement the recommendations of feedback from the LA regarding how the pupil's outcomes can be met through the school's existing provision.

Pupils with EHC plans will be monitored by the Head of Learning Support who will arrange an annual review meeting with the Local Authority in charge of the funding.

When an application for a Special Educational Needs Assessment for an Education, Health and Care Plan to a Local Authority is refused, parents have the right to appeal to the First-tier Tribunal (Special Educational Needs and Disability). If a prospective pupil has an EHCP, the School will consult the parents and, where appropriate, the LA to ensure that the provision specified in the EHCP can be delivered by the School.

All reasonable provisions will be taken by the school to provide a high standard of education.

Staff will be briefed about any potential problems and a procedure will be put into place to deal with certain situations. The school will specify short-term targets sought for a pupil in terms of specific, measurable, achievable, realistic and time-bound (SMART) outcomes.

The school will review each pupil's EHC plan to ensure that it includes the statutory sections outlined in the 'Special educational needs and disability code of practice: 0 to 25 years', labelled separately from one another. If a pupil's needs significantly change, the school will request a re-assessment of an EHC plan at least six months after an initial assessment.

The school will ensure that any EHC plan information is kept confidential and disclosed on a need-to-know basis. Information regarding a pupil's EHC plan will only be shared with other educational settings if the pupil is transferring there, for the setting to develop an individual learning plan. The school will take steps to ensure that pupils and parents are actively supported in developing and reviewing EHC plans.

### **13. Reviewing the EHC plan**

The school will:

- Cooperate with the relevant individuals to ensure an annual review meeting takes place, including convening the meeting on behalf of the LA if requested.
- Ensure that the appropriate people are given at least two weeks' notice of the date of the meeting.
- Contribute any relevant information and recommendations about the EHC plan to the LA, keeping parents 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 parents.
- 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 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 that they have the right to appeal the decisions made in regard to the EHC plan.

### **14. Safeguarding**

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

- Have the potential to be disproportionately impacted by behaviours such as bullying.
- May face additional risks online, e.g. from online bullying, grooming and radicalisation.
- Are at greater risk of abuse, including, but not limited to, peer-on-peer abuse, neglect and sexual violence or harassment.

The school recognises that there are additional barriers to recognising abuse and neglect in this group of pupils. These barriers include, though are not limited to,

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

The Head and Principal/DLS will ensure that the school's Child Protection and Safeguarding Policy reflects the fact that these additional barriers can exist when identifying abuse. When using reasonable force in response to risks presented by incidents involving pupils with SEND.

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

## **15. Data and record keeping**

The school's records will:

- Include details of SEND, outcomes, action, agreed support, teaching strategies and the involvement of specialists, as part of its standard management information system on CPOMS 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 provisions the school makes which is different or additional to that offered through the school curriculum on a provision map.

The school keeps data on the levels and types of need within the school on CPOMS.

All information will be kept in accordance with the school's Records Management Policy and Data Protection Policy.

## **16. Confidentiality**

The school will not disclose any EHC plan without the consent of the pupil's parents, except for disclosure:

- To a SEND tribunal when parents appeal, and to the Secretary of State under the Education Act 1996.
- On the order of any court for any criminal proceedings.
- For the purposes of investigations of maladministration under the Local Government Act 1974.
- To enable any authority to perform duties arising from the Disabled Persons (Services, Consultation and Representation) Act 1986, or from the Children Act 1989 relating to safeguarding and promoting the welfare of children.
- To ISI teams as part of their inspections.
- To the Head (or equivalent position) of the setting at which the pupil is intending to start their next phase of education.

## **17. Monitoring and review**

The policy is reviewed on an annual basis by the Head in conjunction with the Principal and SENCO. Staff are able to access the most up-to-date version of the policy at all times on the School's EVERY document platform as well as on the school website.

Parents are notified when updated policies are uploaded onto the school website.

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

Date created: Spring 2010

Date of last review: September 2022

Date of last review: September 2023

Date of next review: June 2024