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SEND Policy

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Helm Academy

EMPOWERING MINDS. NAVIGATING FUTURES

This policy is one of a series of school policies that, taken together, are designed to form a comprehensive statement of the school's aspiration to provide an outstanding education for each of its students and of the mechanisms and procedures in place to achieve this. Accordingly, this policy should be read alongside these policies. In particular it should be read in conjunction with the policies covering equality and diversity, Health and Safety, Safeguarding and Child Protection.

All of these policies have been written, not simply to meet statutory and other requirements, but to enable and evidence the work that the whole school is undertaking to ensure the implementation of its core values.

While this current policy document may be referred to elsewhere in Helm Academy Virtual School documentation, including particulars of employment, it is non-contractual.

Policy Issues and Updates

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Helm Academy

EMPOWERING MINDS. NAVIGATING FUTURES

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Statement of intent

Helm Academy Virtual School believes that all pupils are entitled to an education that enables them to achieve their best, become confident individuals living fulfilling lives, and make a successful transition into adulthood.

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

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

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

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

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

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

Legal framework

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

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

- ✓ Data Protection Act 2018
- ✓ Health and Care Act 2022

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

- ✓ DfE (2015) 'Special educational needs and disability code of practice: 0-25 years.
- ✓ Schools: guide to the 0-25 SEND code of practice (2014)
- ✓ Ofsted Research and Analysis: Supporting SEND (2021)
- ✓ DfE (2017) 'Supporting pupils at school with medical conditions'
- ✓ DfE (2024) 'Working together to safeguard children'
- ✓ DfE (2024) 'Promoting and supporting mental health and wellbeing in schools and colleges'
- ✓ DfE (2022) 'Schools Admissions Code'
- ✓ DfE 'Keeping Children Safe in Education'
- ✓ Equality and Human Rights Commission (EHRC) (2015) 'Reasonable adjustments for disabled pupils: Guidance for schools in England'

This policy operates in conjunction with the following school policies:

- ✓ Admissions and Assessment Policy
- ✓ Equality and Diversity Policy
- ✓ Data Protection Policy
- ✓ Data Retention and Destruction Policy and Schedule
- ✓ Supporting Pupils with Medical Conditions Policy
- ✓ Safeguarding and Child Protection Policy
- ✓ Careers Education, Information, Advice and Guidance
- ✓ Exclusion Policy
- ✓ Positive Behaviour Support Policy
- ✓ School Complaints and Procedures Policy
- ✓ Accessibility Policy and Plan

Objectives

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

- ✓ Use their best endeavours to make sure that pupils with SEND get the support they need to access the school's broad and balanced curriculum.
- ✓ Ensure there is high-quality provision to meet the needs of pupils with SEND, with specific focus on inclusive practice and removing barriers to learning.
- ✓ Fulfil its statutory duties towards pupils with SEND considering the SEND code of practice.
- ✓ Promote disability equality and equality of opportunity, fulfilling its duties under the Equality Act 2010 towards individual disabled pupils.
- ✓ Make reasonable adjustments, including the provision of auxiliary aids and services, to ensure that disabled pupils are not at a substantial disadvantage compared with their peers.

- ✓ Designate a teacher to be responsible for coordinating SEND provision, i.e. the SENDCO.
- ✓ Inform parents when they are making special educational provision for their child. ²
Review, prepare and publish important information about the school and its implementation of relevant SEND policies, including:
 - Accessibility plans setting out how they plan to increase access to the curriculum and the physical environment for pupils with SEND.
 - Information about the admission arrangements for pupils with SEND and the steps taken to prevent them being treated less favourably than others.
 - A SEN information report about the implementation of the school's policy for pupils with SEND.

Roles and responsibilities

The Headteacher will be responsible for:

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

The Director of Education is responsible for ensuring the school offers a broad and balanced curriculum, with high quality teaching and a positive and enriching educational experience of for all pupils.

In enacting this policy, the Director of Education will:

- ✓ Ensure the school holds ambitious expectations for all pupils with SEND.
- ✓ Establish and sustain culture and practices that enable pupils with SEND to access the curriculum and learn effectively.
- ✓ Ensure the school works effectively in partnership with parents, carers and professionals, to identify the additional needs and SEND of pupils, providing support and adaptation where appropriate.
- ✓ Ensure the school fulfils its statutory duties with regard to the SEND code of practice.
- ✓ Work with the Board of Directors to ensure that there is a qualified teacher designated as SENDCO for the school.
- ✓ Ensure the SENDCO has sufficient time and resources to carry out their functions.
- ✓ Provide the SENDCO 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.
- ✓ Ensure that procedures and policies for the day-to-day running of the school do not directly or indirectly discriminate against pupils with SEND.

The SENDCO will be responsible for:

- ✓ Collaborating with the Board of Directors and Headteacher to determine the strategic development of the SEND policy and provision in the school.
- ✓ The day-to-day responsibility for the operation of SEND policy.

- ✓ The coordination of specific provision made to support individual pupils with SEND.
- ✓ Being the designated teacher for Children who are Looked After (CLA).
- ✓ Advising on a graduated approach to providing SEND support as per the SEND Code of Practice.
- ✓ Advising on the deployment of the school's delegated budget and other resources to meet pupils' needs effectively.
- ✓ Liaising with the parents and carers 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.
- ✓ Working with the Director of Education to ensure that the school meets its responsibilities under the Equality Act 2010, regarding reasonable adjustments and access arrangements.
- ✓ Ensuring that the school keeps the records of all pupils with SEND up to date, in line with the school's Data Protection Policy.
- ✓ Providing professional guidance to colleagues, and working closely with staff, parents and other agencies.
- ✓ Being familiar with the provision in the Local Offer and being able to work with professionals who are providing a supporting role to the family.

Teachers will be responsible for:

Planning and reviewing support for pupils with SEND on a graduated basis, in collaboration with parents, the SENDCO 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 study the full national curriculum where appropriate.
- ✓ 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 SENDCO.
- ✓ 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 Director of Education.

Identifying SEND

The school recognises that early identification and effective provision improves long-term outcomes for pupils. As part of the overall approach to monitoring the progress and development

of all pupils, it has a clear approach to identifying and responding to SEND as outlined in the school's SEN Information Report.

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

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

- ✓ Is significantly slower than that of their peers starting from the same baseline.
- ✓ Does not match or better the pupil's previous rate of progress.
- ✓ Fails to close the attainment gap between them and their peers.
- ✓ Widens the attainment gap.

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

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

Safeguarding

The school recognises that evidence shows pupils with SEND are at a greater risk of abuse and maltreatment, so 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 child-on-child abuse, neglect, and sexual violence and harassment.

The school recognises that there are additional barriers to recognising abuse and neglect in this group of pupils. These barriers include, but 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 Director of Education and Board of Directors will ensure that the school's Child Protection and Safeguarding Policy reflects the fact that these additional barriers can exist when identifying abuse. When using physical intervention and reasonable force in response to risks presented by incidents involving pupils with SEND, staff will have due regard for the procedures outlined in the school's Positive Behaviour Support Policy.

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 SENDCO.

SEND support

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

Teachers at the school will:

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

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

- ✓ Discussions between the teacher, SENDCO and in some cases, in conjunction with local authority approval.
- ✓ Analysis of the pupil's progress – using internal formative and summative assessments, alongside national data and expectations of progress.
- ✓ Discussion with the pupil and their parent.

Once a pupil has been identified with SEND, the school will employ a graduated approach to meeting the pupil's needs. This will be through the adoption of a four-part cycle known as the Graduated Approach– assess, plan, do, review – whereby earlier decisions and actions are revisited, refined and revised with a growing understanding of the pupil's needs and of what supports the pupil in making good progress and securing good outcomes. The process is as follows:

- ✓ Assess: establishing a clear assessment of the pupil's needs
- ✓ Plan: agreeing the adjustments, interventions and support to be put in place, as well as the expected impact on progress, development or behaviour, along with a clear date for review
- ✓ Do: implementing the agreed interventions and support
- ✓ Review: analysing the effectiveness of the interventions and their impact on the pupil's progress in line with the agreed review date

Where higher levels of need are identified, the school will access specialised assessments from external agencies and professionals.

EAL

The school is aware that there may be pupils at the school for whom English is not their first language and appreciates that having EAL is not equated to having learning difficulties. At the same time, when 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 consider the pupil within the context of their home, culture and community and 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. Advice may be sought from the pupil's relevant local authority EMTAS (Ethnic Minority and Traveller Achievement Service).

Transition

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

At Helm Academy Virtual School, all pupils have EHC plans, and these will 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 setting.

Involving pupils and parents in decision-making

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

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

- ✓ Focus on the pupil as an individual, not allowing their SEND to become a label.
- ✓ Be easy for pupils and their parents to understand by using 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 the future.
- ✓ Tailor support to the needs of the individual.
- ✓ Offer support in organising relevant assessments to minimise demands on parents.
- ✓ Bring together relevant professionals to discuss and agree together the overall approach.

Where the LA provides a pupil with an EHC plan, the school will involve the parents, carers and 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.

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

Funding for SEND support

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

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

Reviewing EHC plans

The school will ensure that teachers monitor and review the pupil's progress during the year and conduct a formal review of the EHC plan at least annually.

The school will:

- ✓ Cooperate with the LA and relevant individuals to ensure an annual review meeting takes place, including convening the meeting on behalf of the LA if requested.
- ✓ Ensure that the appropriate people are given at least two weeks' notice of the date of the meeting, such as representatives from the LA SEN, social care and health services.
- ✓ Seek advice and information about the 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.
- ✓ Ensure that sufficient arrangements are put in place at the school to host the annual review meeting.
- ✓ Contribute any relevant information and recommendations about the EHC plan to the LA, keeping parents involved at all times.
- ✓ Lead the review of the EHC plan to create the greatest confidence amongst pupils and their parents.
- ✓ Prepare and send a report of the meeting to everyone invited within two weeks of the meeting, setting out any recommendations and amendments to the EHC plan.
- ✓ Clarify to the parents and pupil that they have the right to appeal the decisions made regarding the EHC plan.
- ✓ Where possible for LAC, combine the annual review with one of the reviews in their care plan, in particular the personal education plan (PEP) element.
- ✓ Where necessary, provide support from an advocate to ensure the pupil's views are heard and acknowledged.
- ✓ Where necessary, facilitate support from an advocate to ensure the parent's views are heard and acknowledged.
- ✓ Review each 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. Thereafter, the SENDCo will request the LA to conduct a re-assessment of a pupil whenever they feel it is necessary.

Supporting successful preparation for adulthood

The school is aware that being supported towards greater independence and employability can be life-transforming for pupils with SEND. It recognises the importance of starting early, centring on pupil aspirations, interests and needs, and will ensure that pupils are supported at developmentally appropriate levels to make a smooth transition to what they will be doing next, e.g. moving on to higher education.

The school will:

- ✓ Seek to understand the interests, strengths and motivations of pupils and use this as a basis for planning support around them.
- ✓ Support pupils so that they are included in social groups and develop friendships.
- ✓ Ensure that pupils with SEND engage in the activities of the school and in any wider community activity.
- ✓ Engage with secondary schools, as necessary, to help plan for any transitions.
- ✓ Ensure that the EHC plan review includes a focus on preparing for adulthood, with additional focus on transition and preparing for adulthood from Year 9 onwards.
- ✓ Build transition planning into the revised EHC plan to identify appropriate post-16 pathways for higher education and employment, and support preparation for independent living, maintaining good health in adult life and participating in society.
- ✓ Seek partnerships with employment services, businesses, housing agencies, disability organisations, and arts and sports groups, to help children understand what is available to them as they get older, and what it is possible for them to achieve.
- ✓ Engage with FE providers as necessary to help plan for any transitions.
- ✓ Ensure pupils from Year 8 until Year 11 are provided with independent careers guidance.

The school's Careers Policy details how the school will fulfil its statutory duties under section 42 of the Education Act 1997 and work with pupils with SEND to ensure they are prepared for the workplace.

Managing complaints

The school will publish the School Complaints and Procedures Policy on the school website.

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

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

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

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

Staff training and improving practice

The school is committed to the learning and development of all its staff members and training opportunities will be provided and delivered.

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

Use of data and record keeping

All information about pupils will be kept in accordance with the school's Data retention and Destruction Policy and the Data Protection Policy.

The school's records will:

- ✓ Record details of additional or different provision made under SEND support, with accurate information to evidence the SEND support that has been provided over the pupil's time in the school, as well as its impact, e.g. through the use of provision maps.
- ✓ Include details of SEND, outcomes, action, agreed support, teaching strategies and the involvement of specialists, as part of its standard management information system to monitor the progress, behaviour and development of all pupils.
- ✓ Maintain an accurate and up-to-date register of the provision made for pupils with SEND.

Be kept securely so that unauthorised persons do not have access to it, so far as reasonably practicable.

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

Confidentiality

The school will not disclose any EHC plan without the consent of the pupil's parents, except for specified purposes or in the interests of the pupil, such as disclosure:

- ✓ To a SEND tribunal when parents appeal, and to the Secretary of State under the Education Act 1996.
- ✓ On the order of any court for any criminal proceedings.
- ✓ For the purposes of investigations of maladministration under the Local Government Act 1974.
- ✓ To enable any authority to perform duties arising from the Disabled Persons (Services, Consultation and Representation) Act 1986, or from the Children Act 1989 relating to safeguarding and promoting the welfare of children.
- ✓ To Ofsted inspection teams as part of their inspections of schools and LAs.
- ✓ To any person in connection with the pupil's application for students with disabilities allowance in advance of taking up a place in HE.
- ✓ To the Head of Education (or equivalent position) of the setting at which the pupil is intending to start their next phase of education.

Publishing information

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

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

The SEN Information Report will be prepared by the SENDCo and ratified by the Board of Directors and will be published on the school website. It will include all the information outlined in paragraphs 6.79 and 6.83 of the 'Special educational needs and disabilities code of practice: 0 to 25 years'.

Joint commissioning, planning and delivery

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

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

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

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

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

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

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

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

Local Offer

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

- ✓ **Collaborative:** Where appropriate, the school will work with LAs, parents and pupils in developing and reviewing the Local Offer. The school will also cooperate with those providing services.

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

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

Review of implementation

The implementation of this Policy is reviewed annually by the school's Senior Leadership Team in consultation with staff and a report is made to the Governance Body.

The school may submit to Helm Academy Virtual School Board, proposals for amendments to this Policy.



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