

Policy Name	Special Educational Needs and Disability Policy	
Policy Reference	NWCS-LJ06	
Policy Owner	Paul Sheron	
Latest Review Date	31/01/2023	
Next Review Date	31/01/2024	
Version	Approved by	Summary of changes
1	PS	
2 - 16/05/2023	PS	SJ named person

Aim and Purpose of the policy	To ensure that 100% of learners receive support in relation to SEN or disability
Who is this policy for?	This policy relates to all learners undertaking learning.
Key contacts and resources	<p><u>Key Contacts</u> Head of Centre- Paul Sheron Operational Manager- Karen Luxon</p> <p><u>Resources</u> - Keeping Children Safe in Education (DfE September 2022) - Chapter 7 of the Special Educational Needs and Disability Code of Practice</p>
Relate Policies and Procedures	

Aim and Vision

North West Community Services Training Ltd (NWCS) will ensure to support all learners who enrol onto their provision who have an identifiable special educational need and or a disability.

Rationale

North West Community Services Training Ltd is committed to its responsibilities in accordance with the statutory guidance for organisations who work with and support children and young people with Special Educational Needs and Disabilities (SEND). The policy outlines our responsibilities as detailed in: 0 to 25 years, January 2015 and Keeping Children Safe in Education 2022. This policy aims to make learners, their parents and staff aware of the support and reasonable adjustments available at NWCS Training Ltd to students who are designated as having Special Educational Needs or Disabilities (SEND). This policy applies to those students eligible for funding through the ESFA and via Local Authorities within the specified 0 – 25 age group who are covered by the SEND Code of Practice 2015. The policy applies across all curriculum areas.

Intent

The SEND Code of Practice provides statutory guidance on duties, policies and procedures relating to Part 3 of the Children and Families Act 2014. A young person is defined as having a Special Educational Need (SEN) if they have a learning difficulty or disability, which calls for special educational provision to be made for them. In this context this is a young person over compulsory school age and under 25 years. A young person has a learning difficulty or disability if they:

- have 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. A young person who has a disability or health condition, which requires special educational provision to be made, will be covered by the Special Educational Need and Disability (SEND) definition. Special educational provision is support, which is additional or different to support usually available to young people of the same age in mainstream education.

Implementation

Support for learning is intrinsic in all course delivery at NWCS, offering an inclusive approach to learning and teaching, with high quality teaching, which is differentiated for individuals. All teaching and learning support staff must make reasonable adjustments in order to provide differentiated and personalised learning and teaching to meet the needs of students. NWCS will provide a graduated response to support, which includes group in-class support, mentor support, supported study sessions, specialist tutor support, specialist support, in-class support and support throughout the learning journey, where appropriate. Support will be subject to regular reviews in order to adjust the level of support in accordance with need.

Management Responsibilities – SMT overall responsibility for ensuring compliance with this policy and delegates authority to the Curriculum Leads for implementation. Administration is responsible for data on SEND on the Individualised Learner Record (ILR) data and that this is recorded accurately and in a timely manner in line with funding rules. Heads of Curriculum Areas and Apprenticeships and Skills have responsibility to ensure that reasonable adjustments

are made in student management and teaching and learning. The DSL is responsible in regard to pastoral matters and for student support and welfare issues, including safeguarding.

Sector staff – have responsibility to provide Integrated Support Plans, which are accessible to teaching and support staff and thus minimise barriers to learning, support, progression and independence. Specialist Inclusive Learning tutors, and in some cases, external agencies, will provide guidance to colleagues in relation to students with SEND requirements on a case-by-case basis. All staff have the responsibility to read, apply and review learner support information and respond to changing circumstances.

Institutional Responsibilities – Section 41 of the Children and Families Act 2014 lists the statutory duties of ILPs as follows–

- The duty to have regard to the Code of Practice

- The duty to co-operate with the local authority on arrangements for children and young people with SEND
- The duty to admit a young person if the institution is named in an Education Health and Care (EHC) plan.
- The duty to use their best endeavours to secure the special educational provision that the young person needs.

Parents/guardians/carers have statutory rights to contribute to the decision-making process about the education of their child including in relation to assessments of SEND, provision for SEND, and the way that support is provided for SEND. Young people over 16 also have these rights. Their views should be given due weight according to their age, maturity and capability. Throughout the planning and provision of support, the young person and their parents/guardians/carers will be provided with information to enable them to fully participate in all decisions. Their views, wishes and feelings and the importance of them participating as fully as possible in decisions will be explicit throughout the process. Where necessary, an advocate may be involved to provide information and guidance and to support the student in their decision-making process or on-going support.

Impact

It is a requirement that 100% of learners receive sufficient SEN support throughout their programme and this will be monitored to ensure that it is of quality through Quality Sampling, direct observations, learner and employer feedback surveys and successful case studies.

Definitions

Provisions elsewhere in legislation cover disabled young people without SEND, including in the Children Act 1989, the Equality Act 2010 and the Health and Social Care Act 2012. The right of young people to make a decision is subject to their capacity to do so as set out in the Mental Capacity Act 2005. The Equality Act 2010 sets out the legal obligations post-16 institutions have towards disabled children and young people:

- They must not directly or indirectly discriminate against, harass or victimise disabled children and young people
- They must make reasonable adjustments, including the provision of auxiliary aids and services, to ensure that disabled children and young people are not at a substantial disadvantage compared with their peers. This duty is anticipatory.

Screenings and Assessments

Screenings and assessments to identify a possible SEND requirement can be provided. SMT/Curriculum Leads will determine when these are required and the type of assessment that is needed in order to make informed decisions about appropriate support. Assessments to facilitate exam access arrangements are arranged / carried out by an external specialist body.

Procedure for Educational Health Care Plans

NWCS has a duty to cooperate with a Local Authority in regard to any young person with an Education Health and Care Plan (EHC Plan) and to facilitate the holding of an annual EHCP review. Outcomes should always enable children or young people to move towards the long-term aspirations of employment or higher education, independent living and community participation. If a child's parent or a young person makes a request for a particular post 16 institution, the local authority must comply with that preference and name the school, College or ILP in the EHC Plan unless: "It would be unsuitable for the age, ability, aptitude or SEN of the child or young person, or the attendance of the child or young person there would be incompatible with the efficient education of others, or the efficient use of resources" – SEND Code of Practice: 0 to 25 Years. The local authority must consult SMT, or a representative, and consider their comments very carefully before deciding whether to name the establishment in the young person's EHC Plan, sending a copy of the draft plan.

Additional Support

Additional support as detailed in the SEND Code might include:

- assistive technology
- personal care (or access to it)
- specialist tuition
- note-takers
- British Sign Language Communicators
- one-to-one and small group learning support
- independent living training • accessible information such as symbol-based materials

Child and Adolescent Mental Health Services (CAMHS):

These services assess and treat children and young people with emotional, behavioural or mental health difficulties. They range from basic pastoral care, such as identifying mental health problems, to specialist 'Tier 4' CAMHS, which provide in-patient care for those who are severely mentally ill.

Education and Skills Funding Agency (ESFA):

The agency is part of the Department for Education and manages the funding for learners between the ages of 3 and 19 years and for those with SEND between the ages of 3 and 25 years.

Local Offer:

Local Authorities in England are required to set out in their Local Offer information about provision they expect to be available across education, health and social care for children and young people in their area who have SEN or are disabled, including those who have Education, Health and Care (EHC) plans. Local Authorities must consult locally on what provision the Local Offer should contain regarding educational provision from 0 – 25 years and beyond which is available in each local authority.

Parent:

Under section 576 of the Education Act 1996, the term 'parent' includes any person who is not a parent of the child but has parental responsibility or who cares for him or her.

Reasonable Adjustments: The duty to make reasonable adjustments is an anticipatory duty. These are reasonable steps to avoid substantial disadvantages where a provision, criterion or practice puts a student with a difficulty or disability at a substantial disadvantage. Making adjustments provides the opportunity for every learner to be fully involved in all aspects of their learner journey.

Special Educational Needs and Disabilities (SEND):

A child or young person has SEND if they have a learning difficulty or disability which calls for special educational provision to be made for him or her. A child of compulsory school age 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 educational facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions.

Special Educational Needs Co-ordinator (SENCO):

This is a qualified teacher in a school or maintained nursery school who has responsibility for coordinating SEN provision. In a small school, the headteacher or deputy may take on this role. In larger schools there may be a team of SENCOs. In FE provision this is usually the Head of Learning Support or equivalent. For NWCS this role will fall with the staff members completing the induction process and Training Officers. All staff have recently completed the ***Supporting Learners with Learning Difficulties and Disabilities CPD training*** with **DR LOUISE KARWOWSKI**

Transition Planning:

Inclusive Learning staff may attend reviews in school for potential new students with learning difficulties and disabilities and take part in the planning and transition process from school to FE.

Special Educational Needs and Disability identification process

Revised: October 2022, and updated May 2023 as a result of staff attending Supporting Learners with Learning Difficulties and Disabilities CPD training with DR LOUISE KARWOWSKI

1. Learning Difficulty or Disability (LLDD) Support Plan to be sent out to all new enrollees via the IPegs system at the initial recruitment stage.
2. LLDD form upon return to be forwarded to Sylvia Jones for action.
3. Learners who have identified Yes within boxes 1 to 6 will be interviewed by Sylvia Jones to establish the full detail and agree upon what support arrangements can be implemented.
4. If deemed that support is required. The details as to what support has been agreed will be documented upon the [LLDD Request.docx](#) (Apprenticeship ALS Request Form). Sylvia will also pre-populate the [LLDD Log.docx](#) (LLDD Log with learner details), confirming the date to which support commenced. These documents will then be sent to Training Officers with the initial allocation.
5. Training Officers will be responsible for carrying out the monthly LLDD Log fully detailing the support given to the learner.
6. Training Officers will reference the LLDD support that has taken place when carrying out the 12 week recorded review of progress. Training Officers to confirm during the recorded discussion if support is to continue.
7. If for any reason the learner no longer wishes to access support then the person responsible for the delivery of the support must end the endorsement by notifying Central Administration

Policy Review and Implementation

This policy will be updated as necessary to reflect current best practice, official guidance, and in line with current legislation.

This policy is specific to that of NWCS Training Ltd and has been ratified by Head of Centre Paul Sheron



31/01/2023