

# Rosemary Lane Nursery School



## Special Educational Needs Policy and Guidelines

Date: October 2020

Adopted by Governing Body at autumn term meeting November 2020  
(agreed via email circulation October 2020)

Head Teacher : Jill Jones \_\_\_\_\_

Chair of Governors: Cllr Angela Surtees \_\_\_\_\_

## **RATIONALE**

Single Equality Scheme:

'Every child deserves to be safe and loved and have a healthy childhood, free from harm; and every child should have the chance to make the most of their talents and fulfil their potential.'

## **Underpinning principles**

Children, young people and families should experience well co-ordinated assessment and planning leading to timely, well-informed decisions. The following general principles underpin effective assessment and planning processes:

### **a) Participation in decision-making:**

- Children, young people and their parents are key partners in the process, and their views on how, when and to what extent they would like to engage must be taken into account. They should feel confident that they will be listened to and their opinions will be valued.
- Practitioners in all services involved in the assessment and planning process need to be skilled in working with children, parents and young people to help them make informed decisions. All practitioners should have access to training so they can do this effectively.

### **b) Support for children/young people and parents:**

- Local authorities, health agencies and other agencies must work with parents and young people to understand how best to minimise disruption to the child, young person and their family. For example, multiple appointments should be co-ordinated or combined where possible and appropriate, and some children and young people may need special arrangements for appointments.
- Local authorities must provide all parents, children and young people with impartial information, advice and support in relation to SEN, including the statutory assessment process, EHC plans and personal budgets. This should include key working and, as appropriate, an Independent Supporter.
- Local authorities should have early discussions with parents or the young person about what the assessment and planning processes will involve, and the range of options that will be available, such as different types of educational institutions and their right to request personal budgets. The local authority must provide information, advice and support in understanding what a personal budget entails and how it can be used.

### **c) Co-ordination:**

Local authorities are responsible for ensuring that there is effective co-ordination of the assessment and planning process. This is a separate function from the provision of impartial information, advice and support.

The co-ordination should include:

- Co-ordination and mediation of professional input;

- Planning the process to meet the needs of children, parents and young people;
- Arranging meetings; and
- Keeping the parent or young person informed.

The assessment and planning process should actively be supported by senior leadership teams monitoring the quality and sufficiency of assessments through robust quality assurance systems. Families should have confidence that those overseeing the assessment process will be impartial and act in their best interests.

**d) Sharing information:**

- Information sharing is vital to support an effective assessment and planning process which fully identifies needs and outcomes and the education, health and care provision needed by the child or young person. Information can be shared if there are agreed local processes designed to meet specific legal requirements about confidentiality, consent and security of information.
- Agencies should work together to agree local protocols for information collection and management so as to inform planning of provision for children and young people with SEN at both individual and strategic levels.
- As far as possible, there should be a 'tell us once' approach to sharing information during the assessment and planning process so that families and young people do not have to repeat the same information to different agencies, or different practitioners/services within each agency.
- Local authorities must discuss with the child's parent or the young person what information they are happy for the local authority to share with other agencies.

**e) Timely provision of services:**

- Where particular services are assessed as being needed, such as those resulting from statutory social care assessments under the Children Act 1989 or adult social care legislation, their provision should be delivered in line with the relevant statutory guidance and should not be delayed until the EHC plan is complete.

**f) Cross-agency working:**

- Joint working between local authorities and CCGs in the development of an EHC plan supports the provision of effective services for children and young people with SEN.

**Consideration should be given to:**

- The range of professionals across education, health and care who need to be involved and their availability;
- Flexibility for professionals to engage in a range of ways;
- Allowing professionals to feedback on the process, and its implementation, to support continual improvement.

## **g) Looked after children**

Local authorities should be particularly aware of the need to avoid any delays for looked after children and work to carry out assessment in the shortest possible timescale. Addressing a looked after child's SEN will be a crucial part of avoiding breakdown in their care placement.

This policy should be read in conjunction with equality policies.

## **Early Years Learning Support Officer (EYLSO) Base**

Rosemary Lane Nursery School is designated as a base school for Early Years Learning Support Officers in CoL 9 (Community of Learning for Easington and Seaham) who support nursery children with special educational needs. This means that we offer the school facilities and resources to 2 qualified Early Years Nursery Nurses employed centrally by the local authority. These staff are sometimes based at our nursery to support the inclusion of children with special educational needs within their peer group in the child's own early years setting. County Hall notifies the EYLSO of all children in the area who require additional support and allocate their time across these children and their schools/settings. Children who have previously been identified as having special educational needs are allocated support based upon a number of hours agreed by the LA SEND panel.

## **Definition of Special Educational Needs**

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 them. A child of compulsory school age or a young person has a learning difficulty or disability if they:

a) have a significantly greater difficulty in learning than the majority of others of the same age; or b) have a disability which prevents or hinders them 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.

A child under compulsory school age has special educational needs if they fall within the definition at (a) or (b) above or would so do if special educational provision was not made for them (Clause 20 Children and Families Act).

## **Definition of disability**

Many children and young people who have SEN may have a disability under the Equality Act

2010 – that is '...a physical or mental impairment which has a long-term and substantial adverse effect on their ability to carry out normal day-to-day activities'. This definition provides a relatively low threshold and includes more children than many realise: 'long-term' is defined as 'a year or more' and 'substantial' is defined as 'more than minor or trivial'. This definition includes sensory impairments such as those affecting sight or hearing, and long-term health conditions such as asthma, diabetes, epilepsy, and cancer. Children and young people with such conditions do not necessarily have SEN, but there is a significant overlap between disabled children and young people and those

with SEN. Where a disabled child or young person requires special educational provision they will also be covered by the SEN definition.

A child must not be regarded as having a learning difficulty solely because the language or form of language of the home is different from the language in which he or she is or will be taught.

Special educational provision means:

- (a) for a child over two, educational provision which is additional to, or otherwise different from, the educational provision made generally for children of the child's age in maintained schools, other than special schools, in the area
- (b) for a child under two, educational provision of any kind.

## **Aims**

- To promote and value diversity and differences – whether or not there is a diverse population locally.
- To ensure that all staff are aware of the need to identify children with special educational needs as early as possible.
- To be aware of the individual needs of all children who have any type of learning difficulty and to provide suitable experiences to satisfy those needs.
- To ensure that parents/carers are involved in the setting of Support Plans for their child.
- To ensure that parents/carers are informed of the school's Special Educational Needs Policy.
- To ensure that parents/carers are fully informed of their child's progress and development.
- To ensure that children with special educational needs are included within the school as a whole (whenever practically possible).
- To ensure that staff are actively engaged in monitoring, assessing and recording the progress of children with special educational needs.
- To ensure that all staff work towards closing the achievement gap between disadvantaged children and particularly between both boys and girls
- To ensure that more able children have their learning needs met through offering challenging activities and resources
- To ensure that all children have an equal right to be listened to.

## **SENCO Roles and responsibilities**

The Head Teacher is responsible for managing the day-to-day running of provision for all children, including those with diverse additional needs. She is SENCO and manager of the EYLSO's employed by the school, with overall responsibility for the day-to-day implementation of the Equality Policy, Special Educational Needs:

- Liaising with and advising fellow staff and parents/carers.
- Co-ordinating provision for children with special educational needs.
- Maintaining the school's special educational needs register and overseeing the records of all pupils with special educational needs.

- Contributing to the in-service training of staff.
- Liaising with external agencies including the educational psychology service and other support agencies, medical and social services and voluntary bodies.
- Organising regular reviews.
- Ensuring that appropriate Support Plans are in place.
- Monitoring the effectiveness of EYLSO's by liaison with the associated settings

## Identifying needs in the early years

*5.28 Where a child appears to be behind expected levels, or where a child's progress gives cause for concern, practitioners should consider all the information about the child's learning and development from within and beyond the setting, from formal checks, from practitioner observations and from any more detailed assessment of the child's needs.*

Early years providers should consider information on a child's progress across the prime areas. Within Durham the local authority assessment package supports practitioners in recording and monitoring the progress of individual and groups of children. This can assist in supporting practitioners in the early identification of an emerging need and/ or delay in a child's development.

Where any specialist advice has been sought from beyond the setting, this should also inform decisions about whether or not a child has SEN. All the information should be brought together with the observations of parents and considered with them.

*5.29 A delay in learning and development in the early years may or may not indicate that a child has SEN, that is, that they have a learning difficulty or disability that calls for special educational provision. Equally, difficult or withdrawn behaviour does not necessarily mean that a child has SEN. However, where there are concerns, there should be an assessment to determine whether there are any causal factors such as an underlying learning or communication difficulty. If it is thought housing, family or other domestic circumstances may be contributing to the presenting behaviour, a multi-agency approach, supported by the use of approaches such as the Early Help Assessment, should be adopted.*

In Durham this may be supported by **First Contact (Tel 03000 267979)** who will triage information using the Early Help assessment and will identify the level of need. They will then refer to the most appropriate professional or service.

Where progress gives cause for concern, practitioners should work in partnership with parents and/or carers to develop a plan to ensure children with SEN receive the right levels of support for their future learning and development.

Early years settings should adopt a graduated approach involving a cycle of assessment, planning, doing and reviewing their actions in increasing detail and with increasing frequency to identify the best way of securing good progress, as detailed overleaf.

### The graduated approach in the Early Years is:

## Assess

Early years providers should establish a clear analysis of a child's needs. This will draw on practitioner assessments and experience of the child as well as progress, attainment and behaviour information;

- The key person or SENCO should record any concerns raised by the parent and compare them against their own assessment and information about the child's development
- It will draw on an individual's development in comparison to their peers, the views and experience of the parents and child and advice from external support services;
- There must be a regular review of the assessment;
- Support must be matched to the needs of the child.

## Plan

When an early years provider makes decisions that a child needs support, they must inform the child's parents/carers

- The key person and SENCO should agree, in consultation with parents and the child the interventions and support arrangements as well as the expected impact on progress, development or behaviour and inform all staff who work with the child. These will be written into a Special Educational Needs Support Plan
- The support and intervention should be based on reliable evidence of effectiveness and provided by staff with sufficient skills and knowledge.

## Do

- The key person remains responsible for working with the child;
- Any support and intervention should be based on reliable evidence of effectiveness and provided by staff with sufficient skills and knowledge.

## Review

- The key person and SENCO should review the effectiveness of the support by the agreed date;
- The impact and views of parent and child should feed back into the analysis of the child's needs;
- If EYLSO practitioners are working with a child in an early years setting, they should be involved

- Targets set may be school based, set by outside agencies or suggested by parents/carers.
- Reviews may be set up at any time during the school year to discuss the needs of the child or to review any existing statement. The special educational needs co-ordinator will set review dates and invite everyone who has been, or will be, involved. The views of the parents/carers are sought and valued. Recommendations are given and appropriate action is decided upon. A date is then set for the next statutory annual review (6 monthly informal reviews are held for children under 5 years of age).

- Governors monitor and review the school's Equality and Diversity Policy: Special Educational Needs. They are kept up to date about the school's provision including funding, equipment and deployment of personnel at termly governors' meetings.
- Transition – children with additional needs will be offered more visits from our nursery to school. This will be arranged on an individual basis to suit the child, parents and the receiving school.

## **Requests for Statutory Assessment**

*5.49 Where despite the setting having taken relevant and purposeful action to identify, assess and meet the special educational needs of the child, the child has not made expected progress; the setting should consider requesting an Education Health Care needs assessment. (See chapter 9 of the SEND Code of Practice for guidance relating to specific age ranges)*

## **In-service training**

All staff will have the opportunity to participate in relevant in-service training in order to broaden and develop their knowledge of special educational needs and to keep abreast of current research and issues. This may be provided by the Local Authority or other outside organisations.

## **Writing, review and monitoring**

This policy will be reviewed regularly in school and then shared with the governing body at meetings and with parents via the school website. The school has a review timetable for all policies and this policy is included. Subsequent changes will become the focus of staff and governor meetings.

## **SEN Short Note**

Individual children's progress throughout the Nursery is monitored carefully, where a child is not making progress generally or in a specific area, parents will be invited into school to discuss their child's progress and achievements and an SEN short note form will be completed. This note explains any concerns and relevant support being given, different opportunities and/or approaches to learning will be recorded and a time scale for checking progress agreed. If these interventions do not meet the child's needs, parents will be invited to complete an SEN Support Plan with early years staff.

## **SEN Support Plan**

A meeting will be organised with the child's parents, SENCO, Key Person and/or Head Teacher. The meeting will collect all relevant known information about the child. During this meeting, the SENCO, teaching staff and parents will discuss and decide together the 'action' to help the child's progress, e.g. extra adult support, special equipment,



individual or group support etc. Strategies are discussed and agreed for the SEN Support Plan. This will show:-

- Specific short term targets
- Teaching strategies to be used.
- The provision put in place.
- When the plan will be reviewed.
- The desired outcomes of the action.

The plan will be discussed with the child, if appropriate.

The SEN Support Plan will be reviewed at least two times a year with the parents.

If a child does not make significant progress and continues to work below expected levels or has emotional/behavioural difficulties which affect learning, despite having received an additional individual support programme, further meetings with parents and other agencies will agree further action.

## **Further Support**

It may be agreed at the meeting to refer to different specialist agencies for support and advice.

It may be decided to approach the Local Authority for additional support for the child.

It may be decided that an Education, Health, Care plan – EHC is an appropriate referral to meet the child's needs.

When children are identified as having additional needs and require special educational provision through the LA they receive additional support from Early Years Learning Support Officers. Where there are no EYLSO available the LA will fund the school to directly employ a grade 3 teaching assistant to carry out this role.

## **School Request for an Education, Health and Care Plan**

Where a request for an Education, Health and Care Plan is made by us to the LA, the child will have demonstrated significant cause for concern. The LA will need information about the child's progress over time, and will also need documentation in relation to the child's special educational needs and any action taken to deal with those needs, including any resources or special arrangements put in place. We will provide this evidence through the SEN short note, SEN Support Plan and SEN Support Plan Plus. This information may include:

- individual education plans for the pupil
- records of regular reviews and their outcomes
- the pupil's health including the child's medical history where relevant
- Early Years Foundation Stage attainments.
- educational assessments, for example from an advisory specialist support teacher or an educational psychologist
- views of the parents and of the child
- involvement of other professionals such as health, social services or education welfare service.

A child will be brought to the LA's attention as possibly requiring an assessment through a request by the child's school, from a parent or a referral by another agency. Where the evidence presented to the LA suggests that the child's learning difficulties have not responded to relevant and purposeful measures taken by the school and external specialists

and may call for special educational provision which cannot reasonably be provided within the resources normally available to mainstream schools, the LA will consider the case for an Education, Health and Care plan to be issued to meet the child's special educational needs. Assessment for an Education, Health and Care plan involves a case worker from the LA, meeting with parents, the child's school and, wherever possible, other agencies. During this meeting the views of the parents and child will be sought. During this meeting the purpose of the "My Story" document will be discussed, along with the personalized budget, details of the assessment process and time scales.

The LA may decide that the degree of the pupil's learning difficulty and the nature of the provision necessary to meet the child's special educational needs is such as to require the LA to determine the child's special educational provision through an Education, Health and Care Plan.

This will include:

- the pupil's name, address and date of birth
- details of all of the pupil's special needs
- identify the special educational provision necessary to meet the pupil's special educational needs
- Identify the type and name of the school where the provision is to be made
- Include relevant non-educational needs of the child
- Include information on non-educational provision

All children with EHCP's will have short-term targets set for them that have been established after consultation with parents, child and include targets identified in the statement of educational need. These targets will be set out in an SEN Support Plan and be implemented, at least in part and as far as possible, in the normal nursery setting.

## **Four areas of SEN**

### **The four primary areas of special educational need (SEN)**

Even the most detailed guidance cannot fully reflect the complexity and subtlety of individual pupils' needs, and the implications of these for education. The determining factor for a child or young person being identified as having SEN must be educational issues. Children and young people may have other difficulties such as housing, family or other domestic circumstances which should be addressed through a multi-agency approach using the Early Help assessment. In County Durham, this is provided by the ONE Point Service. The definition of SEN set out in the Code of Practice is deliberately broad due to the wide spectrum of difficulties that can lead to a child or young person experiencing problems in learning. The Code of Practice narrows this spectrum into four areas of SEN, with the intention of helping schools and others to plan their provision and to focus on relevant and high quality interventions:

**The four primary areas of special educational need are:**

- 1. Communication and Interaction;**
- 2. Cognition and learning;**
- 3. Social, emotional and mental health;**
- 4. Sensory and/or Physical**

### **Individual needs which do not constitute SEN**

The needs described below are not, in themselves, indicators of a child or young person having SEN. Some children may, however, have SEN in addition to these needs.

#### **a) Attendance**

Attendance may be affected for a variety of reasons and should be addressed through school and LA policies.

#### **b) Specific medical difficulties**

Where children have specific and potentially serious medical conditions (e.g. allergies, diabetes, epilepsy) it is important that staff know what should be done to ensure their general wellbeing, and how to deal with emergencies. Where such difficulties have no impact on the child's general educational progress they do not constitute a special educational need.

#### **c) Minor/short term difficulties**

A block of treatment – such as physiotherapy or speech and language therapy – following an accident does not constitute a special educational need when the difficulty is known to be relatively short term, and has no impact on general educational progress.

#### **d) Looked After Children**

Children who are known to be Looked After will have a Personal Education Plan, designed to ensure that their wider educational needs are considered.

#### **e) Family-based issues**

Children may be the subject of an agency referral (early intervention) for support relation to a family-based issue. Although this is important for the school to be aware of, such issues do not constitute a special educational need where there is no impact on their general educational progress.

#### **f) English as an Additional Language**

Children whose first language is not English may require additional support to access the curriculum. Where this support is needed solely for their lack of English it does not constitute a special educational need.

#### **g) Differentiation and in-school support**

Many children whose progress is below average will not have SEN per se. Slow progress and underachievement do not, in themselves, constitute a special educational need. Such children should have their needs met by quality-first teaching, differentiation of the curriculum and access to support in the classroom. Where such provision is sufficient to enable progress, children should not be registered as having SEN.

#### **h) Exclusions**

Fixed-term or permanent exclusions for behaviour which does not have an ongoing impact on general educational progress do not constitute a special educational need. However, you would need to consider whether or not there is:

- an underlying learning difficulty; or
- a social, emotional or mental health need.