



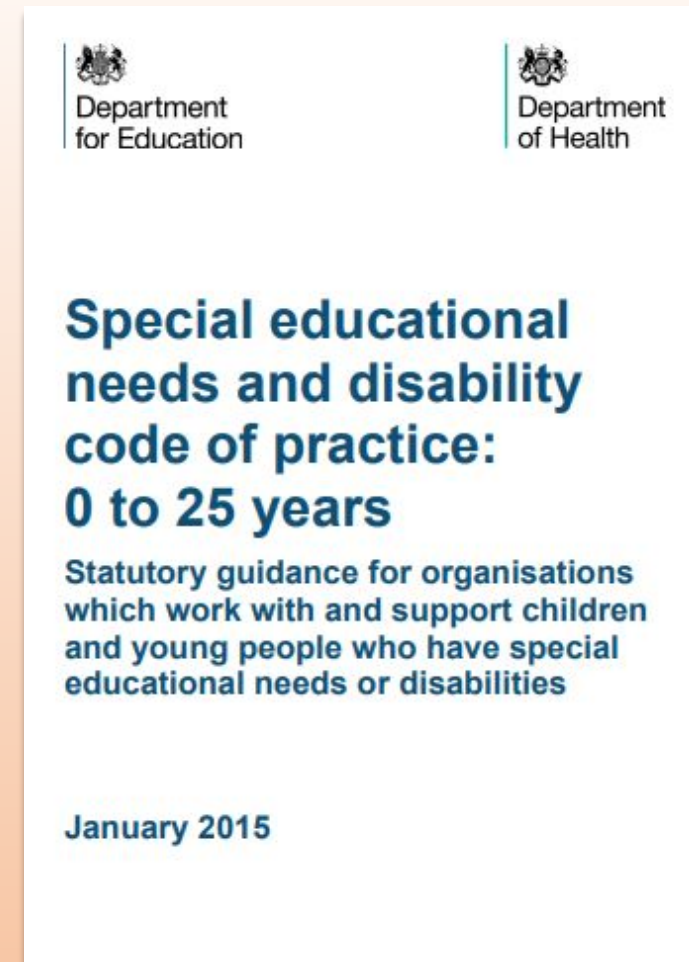
The 2015 Code of Practice and the new SEND AP plan

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SENDCo

Key principals

- Support to 25
- Parent and student voice at heart of decision making – greater control
- Collaboration between education and health and social care
- High quality SEND provision
- Inclusion and removing barriers
- Preparation for adulthood
- Change to EHCP (E) and SEN support (K)
- “Notional SEND budget” set by LA not per student on register



Chapter 6 covers mainstream schools

<https://www.integratedtreatmentservices.co.uk/blog/all-teachers-need-to-know-about-the-send-code-of-practice-2015/>

Improving outcomes: high aspirations and expectations for children and young people with SEN

6.1 All children and young people are entitled to an appropriate education, one that is appropriate to their needs, promotes high standards and the fulfilment of potential. This should enable them to:

- achieve their best
- become confident individuals living fulfilling lives, and
- make a successful transition into adulthood, whether into employment, further or higher education or training

6.2 Every school is required to identify and address the SEN of the pupils that they support. Mainstream schools, which in this chapter includes maintained schools and academies that are not special schools, maintained nursery schools, 16 to 19 academies, alternative provision academies and Pupil Referral Units (PRUs), **must**:

- use their best endeavours to make sure that a child with SEN gets the support they need – this means doing everything they can to meet children and young people's SEN
- ensure that children and young people with SEN engage in the activities of the school alongside pupils who do not have SEN
- designate a teacher to be responsible for co-ordinating SEN provision – the SEN co-ordinator, or SENCO (this does not apply to 16 to 19 academies)
- inform parents when they are making special educational provision for a child
- prepare an SEN information report (see 'Publishing information: SEN information report', paragraph 6.78 onwards) and their arrangements for the admission of disabled children, the steps being taken to prevent disabled children from being treated less favourably than others, the facilities provided to enable access to the school for disabled children and their accessibility plan showing how they plan to improve access progressively over time

High aspirations

“best endeavours”

Inclusion

Have a SENCO

Involve parents

Publish an information report

“Built in not bolt on”

- 6.4 The quality of teaching for pupils with SEN, and the progress made by pupils, should be a core part of the school's performance management arrangements and its approach to professional development for all teaching and support staff. School leaders and teaching staff, including the SENCO, should identify any patterns in the identification of SEN, both within the school and in comparison with national data, and use these to reflect on and reinforce the quality of teaching. Many aspects of this whole school approach have been piloted by Achievement for All – for further details and links to other sources of training and support materials, see Annex 2: Improving practice and staff training in education settings.
- 6.5 The identification of SEN should be built into the overall approach to monitoring the progress and development of all pupils.

Equality = Reasonable adjustments

Equality and inclusion

- 6.8 Schools support pupils with a wide range of SEN. They should regularly review and evaluate the breadth and impact of the support they offer or can access. Schools **must** co-operate with the local authority in reviewing the provision that is available locally (Chapter 3) and in developing the Local Offer (Chapter 4). Schools should also collaborate with other local education providers to explore how different needs can be met most effectively. They **must** have due regard to general duties to promote disability equality.
- 6.9 All schools have duties under the Equality Act 2010 towards individual disabled children and young people. They **must** make reasonable adjustments, including the provision of auxiliary aids and services for disabled children, to prevent them being put at a substantial disadvantage. These duties are anticipatory – they require thought to be given in advance to what disabled children and young people might require and what adjustments might need to be made to prevent that disadvantage. Schools also have wider duties to prevent discrimination, to promote equality of opportunity and to foster good relations.

Broad and balanced curriculum (inc. careers)

Curriculum

- 6.12 All pupils should have access to a broad and balanced curriculum. The National Curriculum Inclusion Statement states that teachers should set high expectations for every pupil, whatever their prior attainment. Teachers should use appropriate assessment to set targets which are deliberately ambitious. Potential areas of difficulty should be identified and addressed at the outset. Lessons should be planned to address potential areas of difficulty and to remove barriers to pupil achievement. In many cases, such planning will mean that pupils with SEN and disabilities will be able to study the full national curriculum.

Identifying SEN in schools

- 6.14 All schools should have a clear approach to identifying and responding to SEN. The benefits of early identification are widely recognised – identifying need at the earliest point and then making effective provision improves long-term outcomes for the child or young person.
- 6.15 A pupil has SEN where their learning difficulty or disability calls for special educational provision, namely provision different from or additional to that normally available to pupils of the same age. Making higher quality teaching normally available to the whole class is likely to mean that fewer pupils will require such

- Importance of early identification
- Definition of SEND – if their need “calls for special educational provision, namely provision different from or additional to that normally available to pupils of the same age”.
- High Quality Teaching !!

“Less than expected progress” an identifier of SEND...

6.17 Class and subject teachers, supported by the senior leadership team, should make regular assessments of progress for all pupils. These should seek to identify pupils making less than expected progress given their age and individual circumstances. This can be characterised by progress which:

- is significantly slower than that of their peers starting from the same baseline
- fails to match or better the child's previous rate of progress
- fails to close the attainment gap between the child and their peers
- widens the attainment gap

6.18 It can include progress in areas other than attainment – for instance where a pupil needs to make additional progress with wider development or social needs in order to make a successful transition to adult life.

... but more than attainment – talks later about other indicators of unmet need

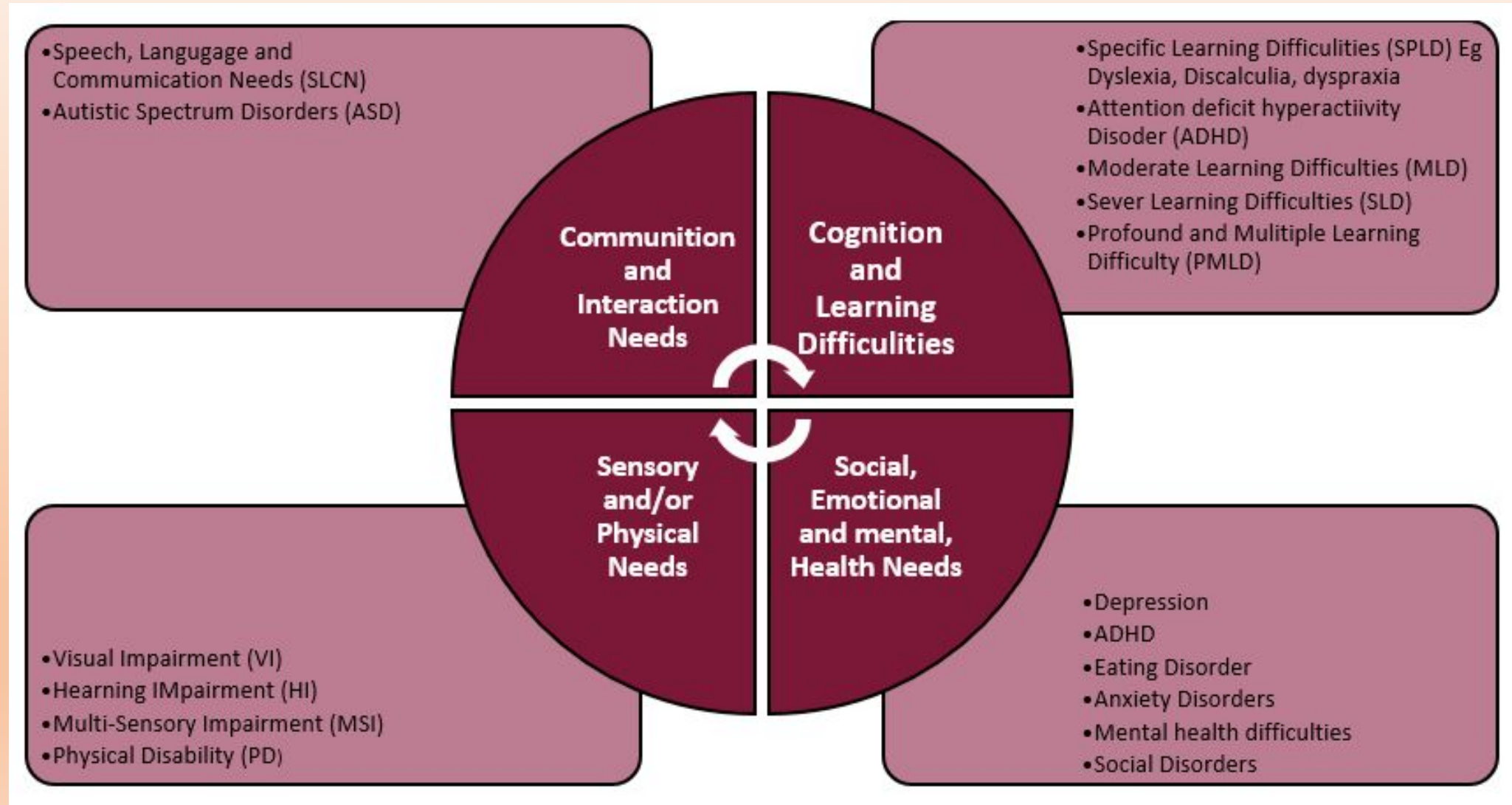
High quality, targeted teaching. No delaying!

- 6.19 The first response to such progress should be high quality teaching targeted at their areas of weakness. Where progress continues to be less than expected the class or subject teacher, working with the SENCO, should assess whether the child has SEN. While informally gathering evidence (including the views of the pupil and their parents) schools should not delay in putting in place extra teaching or other rigorous interventions designed to secure better progress, where required. The pupil's response to such support can help identify their particular needs.

EAL is not SEND

6.24 Identifying and assessing SEN for children or young people whose first language is not English requires particular care. Schools should look carefully at all aspects of a child or young person's performance in different areas of learning and development or subjects to establish whether lack of progress is due to limitations in their command of English or if it arises from SEN or a disability. Difficulties related solely to limitations in English as an additional language are not SEN.

6.28-6.35 – Broad areas of need



Teacher's responsibility

Special educational provision in schools

- 6.36 Teachers are 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.
- 6.37 High quality teaching, differentiated for individual pupils, is the first step in responding to pupils who have or may have SEN. Additional intervention and support cannot compensate for a lack of good quality teaching. Schools should regularly and carefully review the quality of teaching for all pupils, including those at risk of underachievement. This includes reviewing and, where necessary, improving, teachers' understanding of strategies to identify and support vulnerable pupils and their knowledge of the SEN most frequently encountered.

6.44-6.56 SEN support in schools

The graduated response:

Assess

(range of ways)

Plan

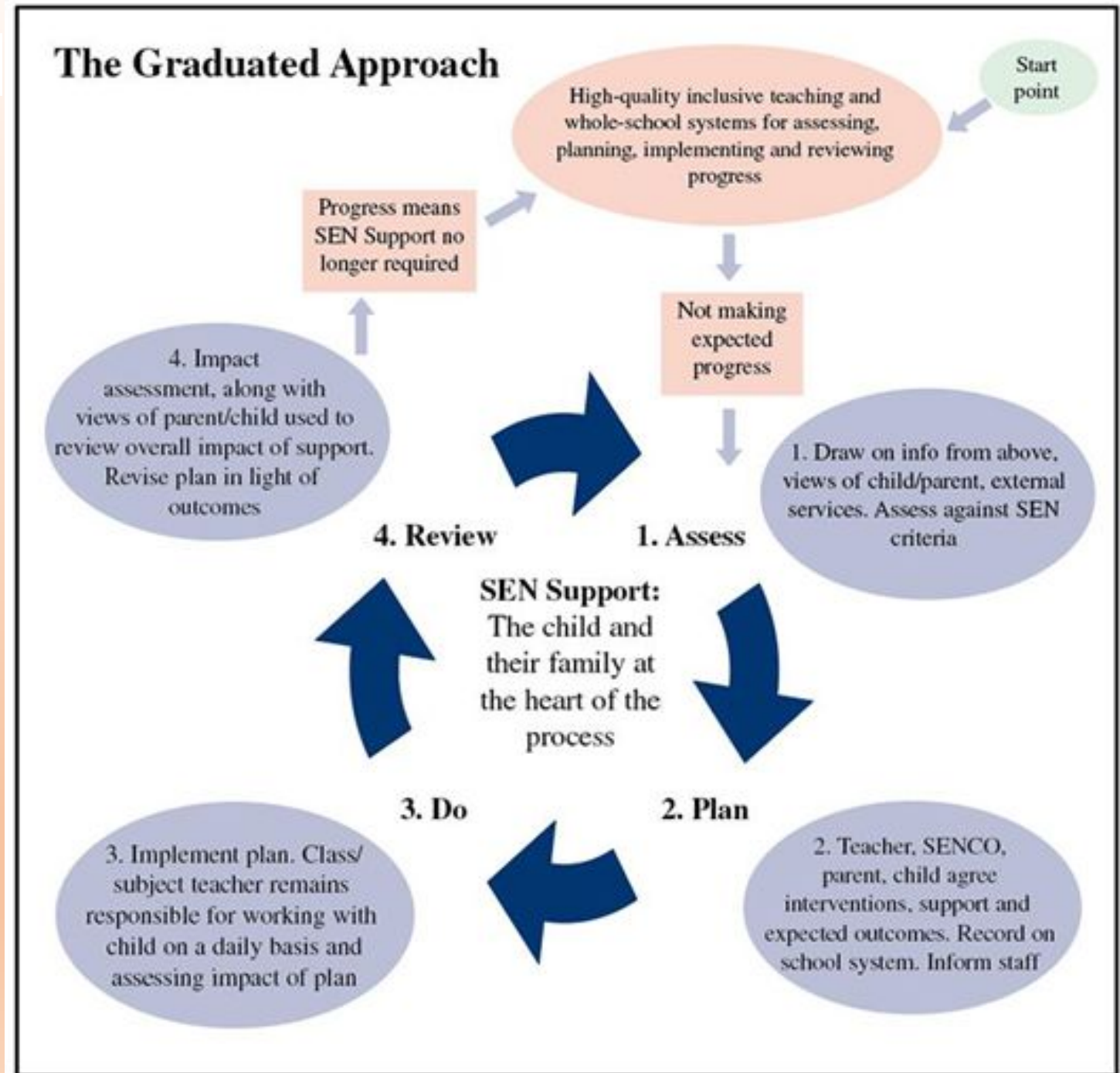
(develop an ISP and intended outcomes)

Do

(carryout provision)

Review

(three times a year, with pupil and parents)



Specialists

Involving specialists

- 6.58 Where a pupil continues to make less than expected progress, despite evidence-based support and interventions that are matched to the pupil's area of need, the school should consider involving specialists, including those secured by the school itself or from outside agencies.
- 6.61 Schools should work closely with the local authority and other providers to agree the range of local services and clear arrangements for making appropriate requests. This might include schools commissioning specialist services directly. Such specialist services include, but are not limited to:
- educational psychologists
 - Child and Adolescent Mental Health Services (CAMHS)
 - specialist teachers or support services, including specialist teachers with a mandatory qualification for children with hearing and vision impairment, including multi-sensory impairment, and for those with a physical disability. (Those teaching classes of children with sensory impairment **must** hold an appropriate qualification approved by the Secretary of State. Teachers working in an advisory role to support such pupils should also hold the appropriate qualification.)
 - therapists (including speech and language therapists, occupational therapists and physiotherapists)



Lots of direction around how to run annual reviews and meetings with parents

Involving parents and pupils in planning and reviewing progress

- 6.64 Schools **must** provide an annual report for parents on their child's progress. Most schools will want to go beyond this and provide regular reports for parents on how their child is progressing.
- 6.65 Where a pupil is receiving SEN support, schools should talk to parents regularly to set clear outcomes and review progress towards them, discuss the activities and support that will help achieve them, and identify the responsibilities of the parent, the pupil and the school. Schools should meet parents at least three times each year.
- 6.66 These discussions can build confidence in the actions being taken by the school, but they can also strengthen the impact of SEN support by increasing parental engagement in the approaches and teaching strategies that are being used. Finally, they can provide essential information on the impact of SEN support outside school and any changes in the pupil's needs.
- 6.67 These discussions should be led by a teacher with good knowledge and understanding of the pupil who is aware of their needs and attainment. This will usually be the class teacher or form tutor, supported by the SENCO. It should provide an opportunity for the parent to share their concerns and, together with the teacher, agree their aspirations for the pupil.
- 6.68 Conducting these discussions effectively involves a considerable amount of skill. As with other aspects of good teaching for pupils with SEN, schools should ensure that teaching staff are supported to manage these conversations as part of professional development.
- 6.69 These discussions will need to allow sufficient time to explore the parents' views and to plan effectively. Meetings should, wherever possible, be aligned with the normal cycle of discussions with parents of all pupils. They will, however, be longer than most parent-teacher meetings.
- 6.70 The views of the pupil should be included in these discussions. This could be through involving the pupil in all or part of the discussion itself, or gathering their views as part of the preparation.
- 6.71 A record of the outcomes, action and support agreed through the discussion should be kept and shared with all the appropriate school staff. This record should be given to the pupil's parents. The school's management information system should be updated as appropriate.

Must track progress but up to schools to decide how. Must be accessible for children and parents

- The provision made for pupils with SEN should be recorded accurately and kept up to date
- Schools should particularly record details of additional or different provision made under SEN support
- Provision maps are an efficient way of showing all the provision that the school makes which is additional to and different from that which is offered through the school's curriculum
- Provision management can be used strategically to develop special educational provision to match the assessed needs of pupils across the school, and to evaluate the impact of that provision on pupil progress

Use of data and record keeping

6.72 It is for schools to determine their own approach to record keeping in line with the requirements of the Data Protection Act 1998. The provision made for pupils with SEN should be recorded accurately and kept up to date. As part of any inspection, Ofsted will expect to see evidence of pupil progress, a focus on outcomes and a rigorous approach to the monitoring and evaluation of any SEN support provided. Ofsted publish more detail about their expectations in their inspection guidelines.

6.79 – 6.83 – SEND information report

- Excalibur proforma follows the key headings from the code

Publishing information: SEN information report

6.79 The governing bodies of maintained schools and maintained nursery schools and the proprietors of academy schools **must** publish information on their websites about the implementation of the governing body's or the proprietor's policy for pupils with SEN. The information published should be updated annually and any changes to the information occurring during the year should be updated as soon as possible. The information required is set out in the Special Educational Needs and Disability Regulations 2014 and **must** include information about:

- the kinds of SEN that are provided for
- policies for identifying children and young people with SEN and assessing their needs, including the name and contact details of the SENCO (mainstream schools)
- arrangements for consulting parents of children with SEN and involving them in their child's education
- arrangements for consulting young people with SEN and involving them in their education
- arrangements for assessing and reviewing children and young people's progress towards outcomes. This should include the opportunities available to work with parents and young people as part of this assessment and review
- arrangements for supporting children and young people in moving between phases of education and in preparing for adulthood. As young people prepare for adulthood outcomes should reflect their ambitions, which could include higher education, employment, independent living and participation in society

6.84-94 The role of the SENCO


- Governing bodies of maintained mainstream schools and the proprietors of mainstream academy schools (including free schools) **must** ensure that there is a qualified teacher designated as SENCO for the school
- The SENCO **must** be a qualified teacher working at the school.
- A newly appointed SENCO **must** achieve a National Award in Special Educational Needs Co-ordination within three years of appointment.
- A National Award **must** be a postgraduate course accredited by a recognised higher education provider
- The SENCO has an important role to play with the headteacher and governing body, in determining the strategic development of SEN policy and provision in the school
- The SENCO has day-to-day responsibility for the operation of SEN policy and coordination of specific provision made to support individual pupils with SEN, including those who have EHC plans.
- The SENCO provides professional guidance to colleagues and will work closely with staff, parents and other agencies
- A list of their day to day duties can be found in paragraph 6.90 of the Code of Practice
- The school should ensure that the SENCO has sufficient time and resources to carry out these functions

6.90 The key responsibilities of the SENCO may include:

- overseeing the day-to-day operation of the school's SEN policy
- co-ordinating provision for children with SEN
- liaising with the relevant Designated Teacher where a looked after pupil has SEN
- advising on the graduated approach to providing SEN support
- advising on the deployment of the school's delegated budget and other resources to meet pupils' needs effectively
- liaising with parents of pupils with SEN
- liaising with early years providers, other schools, educational psychologists, health and social care professionals, and independent or voluntary bodies
- being a key point of contact with external agencies, especially the local authority and its support services
- liaising with potential next providers of education to ensure a pupil and their parents are informed about options and a smooth transition is planned
- working with the headteacher and school governors to ensure that the school meets its responsibilities under the Equality Act (2010) with regard to reasonable adjustments and access arrangements
- ensuring that the school keeps the records of all pupils with SEN up to date

6.95-6.99 - Funding for SEN support

- All mainstream schools are provided with resources to support those with additional needs, including pupils with SEN and disabilities
- Schools have an amount identified within their overall budget, called the **notional SEN budget**
- It is for schools, as part of their normal budget planning, to determine their approach to using their resources to support the progress of pupils with SEN
- Schools are not expected to meet the full costs of more expensive special educational provision from their core funding
- They are expected to provide additional support which costs up to a nationally prescribed threshold per pupil per year – this is currently deemed to be £6000



The aims of the March 2022 Green Paper:

- The SEND and Alternative Provision Green Paper explored the issues present within the current SEND system. It set out the government's proposals to:
 1. improve outcomes for children and young people;
 2. improve experiences for families,
 3. reducing the current adversity and frustration they face;
 4. and deliver financial sustainability.

It also considered Alternative Provision because 82% of children and young people in alternative provision have SEN, and it is being used to supplement SEND systems.

The gov put it out for consultation and in March 2023 responded with...



HM Government

Special Educational Needs and Disabilities (SEND) and Alternative Provision (AP) Improvement Plan

Right Support, Right Place, Right Time

March 2023



CP 800

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1139561/SEND_and_alternative_provision_improvement_plan.pdf

- *The SEND and AP Improvement Plan* outlines the first steps that the government will take in addressing the issues raised.
- It is hoped that it marks the start of a journey to the creation of:
'a society that celebrates, encourages, and enables the success of all children and young people, including those with SEND and in alternative provision. A society where we hold high aspirations for all children and young people, recognising that although success looks different for everyone, it is no less worthy of celebration'

(SEND and AP Improvement Plan: Right Support, Right Place, Right Time, 2023, p.22)

The improvement plan sets out a roadmap to transform the SEND and AP system:

- establishing a **single national system** that delivers for every child and young person with SEND so **that they enjoy their childhood, achieve good outcomes**, and are **well prepared for adulthood and employment**
- **giving families greater confidence** that their child will be supported to fulfil their potential through **improved mainstream provision in their local setting**
- ensuring children and young people with SEND who do require an Education, Health and Care Plan and specialist provision get **prompt access to the support** they need, and that **parents don't face an adversarial system** to secure this
- **strengthening accountability across the system** so that everyone is held to account for supporting children and young people with SEND

<https://asset.nasen.org.uk/What%20mainstream%20leaders%20need%20to%20know.pdf>

National SEND standards

- The formation of a set of evidence-based SEND and AP National Standards (from 2025) will establish what support should be ordinarily available in mainstream settings, and for those receiving SEN Support and with Education, Health and Care Plans (EHC Plans).
- SENCOs will need to ensure that their settings meet these requirements – many of you will already do so, and the standardisation of these may make it easier for you to implement improvements to practice towards which you have long been working

National SEND standards cont.

- The intention is that the National Standards will improve provision for those receiving SEN Support, resulting in reduced need for EHCPs and/or specialist provision, so that those whose needs are greatest are able to access the education they need.
- The National Standards will be supported by SEND and AP 'Practice Guides' for frontline professionals from the end of 2025, targeting the most prevalent needs (SLCN, autism, SEMH).

National SEND standards and funding

- The National Standards will also clarify who is responsible for delivering provision and from which budgets. This should result in the financial responsibility for SEND being shared more fairly across education, health and social care.
- The National Standards will be a basis for developing a national approach to funding bands. This is likely to result in increased funding in some areas and possibly decreases in others but will lead to greater equity between local areas.
- National funding bands and tariffs will be included in the response to the consultation on schools' National Funding Formula in 2023.
- The intention of standardisation is not to remove individual decision making; need should still drive provision and a nationalised approach is only to inform funding.
- The notional SEND budget is also being considered in the light of the National Funding Formula, with more detail to come later this year. It is notable that there is no mention of it becoming ring-fenced though.

Local inclusion plans

- Local areas are to create evidence-based 'local inclusion plans' which will detail how needs will be met, in line with the National Standards. Local and national inclusion dashboards will sit alongside these, to improve transparency. A national dashboard will be publicly available in Autumn 2023.
- A development from the local offer.

Standardised EHCPs

- EHC Plans are to be standardised nationally from 2025, with increasing use of digital technology.
- This will ease the bureaucracy that many SENCOs face when working across LAs and should make the whole process less stressful for everyone once established.
- However, it is notable that LAs will be 'encouraged' to adopt the standard template, rather than mandated, at least initially.

A new/amended code of practice

- There will be an amended Code of Practice – this will not be implemented until it has been consulted on so is unlikely to happen for some time, and it is likely to reflect the changes detailed in the Improvement Plan rather than add more.

A SENCO NPQ

- A SENCO NPQ will be introduced which will be mandatory for those who **do not** hold the NASENCO (including those who became a SENCO before 2009), and the timeframe requirement will be 'strengthened' (there are no further details currently on timescales).
- It's likely that this training will be based on the *expectations of the national standards*, and a plan for how to raise and maintain the confidence and capability for this, for all teachers.
- For those of us who do hold NASENCo it will be important to secure training on the new Code of Practice.

New Alternative Provision system

- A three-tier AP system will be created:
 1. targeted early support in mainstream schools,
 2. time limited intensive placements in AP and
 3. longer term placements to support return to mainstream or 16+ destinations.

Improved Information reports

- SEN Information Report content expectations will be reviewed to consider if transparency can be improved. There is no further detail on this currently.
- The Excalibur proforma is based on the 2015 code of conduct report headings so will be adjusted if needed.

Early Language and Support for Every Child

- Early Language and Support for Every Child (ELSEC) pathfinders will be launched with NHS England to improve access to speech and language therapy. 'Pathfinders' means that this will be piloted in 9 areas

Teaching assistants

- A longer-term approach to ensuring the impact of teaching assistants will be developed, starting with a research project to develop the evidence base (it being 13 years since Maximising the Impact of Teaching Assistants was published).
- Effective TA deployment will also form part of the new 'practice guides'.
- This might be something we review on a trust level once we know more.

Transition guidance

- Transition guidance will be published for all stages, most particularly including into post-16 destinations and employment.
- Higher Education is brought into this Improvement Plan, which is a welcome development; this is in regard to the Disabled Students Allowance, and does not mean that the statutory SEND system should extend to HE though.

Exams

- There are no changes to exams and qualifications, apart from the National Standards for Personal, Social and Employability Skills Qualifications being developed.

Teacher training

- The ITT Core Content Framework and Early Career Framework will be reviewed to consider how they can better develop the confidence of teachers to meet the needs of children and young people with SEND. Guidance on the involvement of specialist schools in ITT will be developed.

- Any questions?