

Special Educational Needs Policy 2008 - 2011



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Introduction

The Local Authority's (LA) Special Educational Needs (SEN) Policy 2008-2011 sets out the actions which will be taken by the Children and Young People's Service, and our partners, to ensure that the needs of children and young people with SEN are met effectively and that they have every opportunity to access high quality provision as close to their local community as possible.

Children have special educational needs if they have a **learning difficulty** which calls for **special educational provision** to be made for them.

Children have a **learning difficulty** if they:

- (a) have significantly greater difficulty in learning than the majority of children of the same age;
- (b) have a disability which either prevents or hinders the child from making use of educational facilities of a kind provided for children of the same age in schools within the area of the local education authority;
- (c) are under compulsory school age and fall within the definition of (a) or (b) above or would do so if special educational provision was not made for them.

Children must not be regarded as having a learning difficulty solely because the language or form of language of their home is different from the language in which they will be taught.

Special educational provision means:

- (a) for children of two or over, educational provision which is additional to, or otherwise different from, the educational provision made generally for children of their age in schools maintained by the LA other than special schools, in the area;
- (b) for children under two, educational provision of any kind (Education Act, 1996).

Disabled children and young people, as defined under the Disability Discrimination Act 1995 (DDA), have a physical or mental impairment, which has substantial and long-term effect on his or her ability to carry out normal day-to-day activities. Impairment does not itself mean that a child or young person is disabled, it is how this impairment affects normal day-to-day activities and whether or not this is a long-term and substantial impairment.

Long-term is defined in the DDA as having lasted or being likely to last 12 months or more and ability to carry out day-to-day activities must affect one or more of the following:

- mobility;
- manual dexterity;
- physical co-ordination;
- continence;
- ability to lift or carry or otherwise move every day objects;
- speech, hearing or eyesight;
- memory or ability to concentrate, learn or understand;
- perception of risk.

Physical impairment includes sensory impairment. Mental impairment includes learning difficulties and an impairment resulting from or consisting of a mental illness. The definition can include a wide range of impairments, including hidden impairments such as dyslexia, autism, speech and language impairments, Attention Deficit Hyperactivity Disorder (ADHD). Pupils with severe disfigurements are also covered by the DDA as are those with progressive conditions that are likely to change over time such as cancer.

Many, although not all, disabled children will have a special educational need if they have difficulty accessing education or if they need special educational provision to be made for them.

The term **Learning Difficulties and/or Disabilities (LDD)** is used to refer to individuals or groups of learners who have either a learning difficulty in relation to acquiring new skills or who learn at different rates to their peers and who have a disability as defined under the DDA Act 1995.

The terms SEN and LDD are often used interchangeably. However, for the purposes of this policy and the LA's Children and Young People's Plan children and young people with SEN are considered as having LDD but do not exclusively make up this vulnerable group.

Our policy takes account of the Government's 10-year Strategy for SEN "Removing Barriers to Achievement" (RBA) and the relevant SEN and Disability legislation. RBA sets out a 10-year strategy in which the Government 'wants to see':

Early intervention

- Health and social care organised around the needs of children and their families, with better information sharing and assessments leading to early intervention.
- Parents having access to good quality childcare and early years provision in their local community.
- Schools with the skills and resources to enable them to take prompt action to help children who are falling behind their classmates.
- Teachers and early years staff spending more time supporting early intervention and less time on SEN-related paperwork.

Removing barriers to learning

- Schools with the confidence to innovate and with the skills and specialist support they need to meet the needs of all pupils successfully.
- Special schools providing education for children with the most severe and complex needs and sharing their specialist skills and knowledge to support inclusion in mainstream schools.
- Schools working together to support the inclusion of all children from their local community, backed up by specialist support from the local authority and health services, working in multi-disciplinary teams.
- Parents with confidence, that, in choosing a local mainstream school, their child will receive a good education and be a valued member of the school community.

Raising expectations and achievement

- All teachers having the skills and confidence, and access to specialist advice where necessary, to help children with SEN to reach their potential.
- Improved data giving parents and teachers a clearer picture of how well children working below age-related expectations are progressing.
- Young people able to follow courses which build on their interests and aptitudes and lead to recognised qualifications.
- Young people with SEN actively involved in decisions about their education and options post-16 and having real opportunities for progression, training and work.

Delivering improvements in partnership

- More consistency between LAs in their strategic management of SEN, particularly in their use of statements, the level of delegated funding to schools and in special provision.
- Schools regularly reviewing the effectiveness of their provision, with LAs providing support and challenge where concerns are raised.
- Parents with greater confidence that their child's SENs will be met in school, whether or not they have a statement.
- Greater integration of education, health and social care to meet the needs of children and families.

The SEN Policy 2007-2010 supersedes and replaces the LA's SEN Strategy 2005-2008 and explains:

1. The local context and the SEN Policy Framework.
2. The information to be provided by the Local Authority in accordance with Schedule 2 of the SEN Regulations 2001.
3. The North Yorkshire Inclusion Statement.
 - Aims and principles
 - Inclusion Quality Mark
4. The North Yorkshire SEN Accountability Framework.

SECTION 1: SEN Policy Framework

1.1 The local context

The Council Plan is published annually and sets our overall purpose and priorities. I has seven key objectives:

- **Security for all** – by promoting safe, healthy and sustainable communities.
- **Growing up prepared for the future** – through good education and care and protection when it is needed.
- **Independence** – through employment, opportunity and appropriate support for those that need it.
- **Ensuring good access for all** – with good roads and a safe and reliable transport system, as well as providing new ways to interact with, and contact, the services needed.
- **Strengthening our economy** – by supporting business, developing our infrastructure, investing in powerful telecommunications and helping people improve their skills.
- **Looking after our heritage and our environment** – in our countryside and our towns and villages, for all to enjoy.
- **Keeping in touch** – by listening to your views, engaging with you to meet your needs and by letting you know what we are doing.

The Children's Act 2004 placed a new duty on agencies to co-operate to improve outcomes for children and young people and established new Children's Services Authorities in order to achieve this. The North Yorkshire Children's Services Authority was established in April 2006 bringing together education and children's social care into one Directorate. **The Children and Young People's Plan (CYPP) 2006-2009** sets out actions to ensure that all children, including those with SEN are well prepared for the future, are able to develop independence, so far as this is possible, and how we will listen to the views of children, young people and their families.

Further key plans and strategies that influence the development of services and provision for children and young people with SEN are:

The Corporate Social Inclusion Strategy which provides additional targets for tackling circumstances which limit an individual's participation in mainstream community life.

The Quality and Improvement Service Development Plan which sets out the ways in which we will support and challenge schools and settings in raising standards of achievement and providing for the personal development and well-being of all children. In particular Priority 3: Inclusion which sets out how we will work with schools and settings to secure inclusive practice, raise the achievement of vulnerable groups and increase the understanding and appreciation of individual needs.

The Access and Inclusion Service Development Plans which identify the key objectives for and actions to be taken by the specialist teaching and educational

psychology services, and the SEN Officer Team, in supporting schools and settings in the assessment of and provision for children with special educational needs. All Access and Inclusion services work to secure access to high quality, inclusive provision and better outcomes for all vulnerable groups of children and young people, including those with SEN.

Access and Inclusion Services for children and young people with SEN are currently the:

- Behaviour Support Service;
- Educational Psychology Service;
- Specialist Teaching Service
 - Hearing Support
 - Physical and Medical Support
 - Vision Support;
- Learning Support Service, including the Early Years Service and Portage;
- SEN Officer Team.

The future pattern of provision, including support and outreach services for children and young people with SEN and/or Behavioural Difficulties (BESD) was consulted on in 2006 and is described in Section 2.

Early Years and childcare: The Sure Start Children's Centre practice guidance sets out a requirement that disabled children should be fully included in all services provided by Sure Start Children's Centres. All disabled children, along with their families, should be able to participate in activities and take part equally alongside their peers. Children's Centre Services must ensure that they are embedding Early Support principles and approaches throughout their work with children and families. Children's Centres will take account of the numbers of disabled children under 5 in their area to inform planning.

The Family Information Service (FIS) provides a Brokerage Service to help families find suitable childcare and will provide more intensive support for vulnerable families such as those with SEN or disabilities.

1.2 Legislation and statutory guidance

The SEN Policy is underpinned by SEN and Disability legislation and our aims and principles have regard to the authority's duties and those of the governing bodies of mainstream schools to identify, assess and make provision for children's special educational needs. In doing so we have taken account of:

- The Education Act, 1996;
- The SEN and Disability Act, 2001;
- The SEN Regulations, 2001;
- The SEN Code of Practice, (2001);
- Inclusive Schooling Guidance, (2001);
- The Disability Rights Code of Practice for Schools, (2002);
- The Children Act 2004;
- The DfES and DRC Guidance on 'Implementing the Disability Discrimination Act in schools and early years settings.' (2006).

Education & Inspections Act 2006

Schools have a number of additional duties to those under the SEN legislation framework, the most relevant being:

- the duties to promote equality;
- the duty to promote wellbeing;
- the duty to have regard to the North Yorkshire Children & Young People's Plan.

LAs have a new duty under Part 4 of this Act to 'promote earlier action to tackle school under-performance; to ensure that effective support and challenge are provided immediately when unacceptable standards are identified; and to secure decisive action if a school in Special Measures fails to make sufficient improvements'. This includes the provision that schools make for children and young people with SEN.

From April 2007, School Improvement Partners have been deployed in primary and secondary schools and from April 2008 in special schools. Together with advisers and consultants they monitor standards, challenge where appropriate and broker support when it is needed.

SECTION 2: Information to be provided by the Local Authority

Schedule 2 of the SEN Regulations requires that LAs provide information on the following:

2.1 The action that the authority is taking to:

- promote high standards of education for children with SEN;
- encourage children with SEN to participate fully in their school and community to take part in decisions about their education;
- encourage schools in their area to share their practice in providing support for children with SEN;
- work with other statutory and voluntary bodies to provide support for children with SEN.

The CYPP, together with key plans described in Section 1, provide information about the actions that we are taking with respect to the above.

2.2 The general arrangements that the LA makes for:

(i) the identification of children with SEN:

- The LA's Quality and Improvement Service (Q&I) and Access and Inclusion Services (A&S) work on an on-going basis with schools and settings to enable them to identify children with SEN through the levels of intervention which take account of the action taken by the setting or school and the progress made by the child, in accordance with the SEN Code of Practice.

(ii) monitoring the admission of children with SEN to maintained schools:

- SEN, Admissions and Parent Partnership Co-ordinators liaise to address concerns relating to admissions procedures and time scales. The North Yorkshire Children and Young People's Service Strategy for the Monitoring, Challenge, Intervention and Support of Schools and settings sets out our expectations of schools in relation to the admission of children with SEN and our response where this gives cause for concern.
- The percentage of statements amended by 15 February each year for phase transfers is monitored and action taken where needed.
- The SEN module provides management information through which admissions of children with statements of SEN can be monitored as required.

(iii) organising the assessment of children's special educational needs under section 323 of the Education Act, 1996:

- This is carried out in accordance with guidance in Sections 7 and 8 of the SEN Code of Practice, 2001.
- Revised guidance for schools, settings and SEN Advisory Panels on the identification, assessment and provision for children with SEN was published in 2007.

(iv) organising the making and maintaining of statements including any local protocols:

- Information for parents of children and young people with learning difficulties is provided through the Parent Partnership Website: www.nyparentpartnership.co.uk where a range of impartial leaflets for parents can be accessed as well as links to other useful local and national organisations.

If parents are unable to find the education information they require, they can telephone the Parent Partnership Enquiry Line 0845 034 9469 (Mon. - Fri. 10.00 - 16.00) or e-mail nyparentpartnership@northyorks.gov.uk for guidance.

(v) the provision of support to schools¹ with regard to making provision for children with SEN (Action, Action Plus and Statements).

- The LA provides a comprehensive range of services to support schools in making provision for children with SEN through the:
 - Behaviour, Emotional, Social Difficulties Network;
 - Cognition and Learning Network;
 - Communication and Interaction Network;
 - Educational Psychological Service, including the Early Years Teaching Service and Portage Home Visitors;
 - National Strategies Advisors and Consultants;
 - School Improvement Partners;
 - SEN/Inclusion Advisers and Consultants;
 - SEN Officer Team;
 - Sensory, Physical and Medical Network.
- The Specialist Services above provide support for schools based on a model of 'core' and 'additional' time as detailed in the Specialist Support to Schools and Settings: Entitlement and Additional Support (2007).
- Additional resources are also made available to some schools in areas of high deprivation which enables enhanced provision and collaborative working.

- Special schools are encouraged to provide support to mainstream schools and settings in their localities through dual placements and local partnership arrangements. In addition special schools are commissioned to provide outreach services to mainstream schools for children and young people with Severe Learning Difficulties and Autistic Spectrum Conditions (ASC).
- High need children with ASC in early years' settings and in mainstream schools have access to support from an area-based ASC Network comprising of special schools, specialist teachers, educational psychologists and specialist teaching assistants.

(vi) auditing, planning, monitoring and reviewing provision for pupils with SEN.

- The Council is expected to keep its pattern of provision for special educational needs under review. A comprehensive review was undertaken in 2005-2006 and a new pattern of provision for SEN and BESD was agreed by the Council for implementation in three phases from 2007 to 2019. This includes the restructure of the above services to provide Networks of support for:
 - Cognition and Learning;
 - Communication and Interaction;
 - Behaviour, Emotional and Social Difficulties;
 - Physical, Sensory and Medical Needs.

See appendix 1a – 1c.

- The Children and Young People's Plan is reviewed annually.
- The SEN database is monitored termly to provide management information relating to children with SEN.
- Inclusion Advisers and Heads of Specialist Services monitor the effectiveness of provision through a range of indicators.
- Access and Inclusion Specialist Services contribute to this process through:
 - monitoring and review of Network Action Plans to improve service delivery;
 - annual business meetings with schools to agree how best to support and advise the school;
 - service involvement in individual casework and in developing the capacity of mainstream schools to better meet the needs of children with SEN;
 - attendance at annual reviews of children with statements of SEN.

- The North Yorkshire Inclusion Quality Mark enables schools to self-evaluate the provision that they make for all children, including those with SEN (see section 5).
- The LA's strategy for Monitoring, Challenge, Intervention and Support for Schools and Settings promotes high standards of education and well-being for all children and sets out how we will ensure that schools are supported to make inclusive provision for children with SEN.
- School Improvement Partner (SIP) visit: In the normal cycle of visits to a school it is expected that the SIP will ensure inclusion is a high priority. Additionally, on an annual basis, the LA will request the SIP drills deeper into certain areas of inclusive practice or provision. The specific nature of some areas of inclusion, for example the education of pupils with SEN, may require the SIP to be supported by a specialist adviser.
SIPs who work in special schools will meet each half-term at a Special School forum. The objective of the forum to monitor the performance of special schools and enhanced mainstream schools for SEN or BESD as the new pattern of provision is developed.
- The LA completes a self-evaluation of SEN/LDD provision, performance and progress within the Every Child Matters Five Outcome Framework and this is reviewed with the DfES (DCSF) SEN Adviser on their annual visit.
- The APA (Annual Performance Assessment of the Children and Young People's Service aligned to the review of the CYPP) and JAR (Joint Area Review) requires Children's Service Authorities to self-evaluate their performance against an inspection framework which includes the provision that we make for children with SEN/LDD.

(vii) securing training, advice and support for staff working with children with SEN.

The LA provides a developmental programme aligned to local and national priorities. This programme includes:

- Special Educational Needs Co-ordinators (SENCO) Networks – induction for new SENCOs and bi-annual centrally-funded Continuing Professional Development (CPD).
- National Strategies – National Primary Strategy, National Secondary (Key Stage 3) Strategy and the Early Years Foundation Stage standards for learning, development and care.
- National training programmes – Ofsted “SEN in Mainstream Schools” and “Judging the achievement of children with Profound and Multiple Learning Difficulties”.
- Targeted use of resources to support specific training programmes e.g. Moving and Handling, medical needs in school, Communication Aids Project, Lets Talk Project.

- Tailored development programmes aligned to specific aspects of SEN e.g. Dyslexia-friendly schools, Autistic Spectrum Conditions (ASC).
- School-based training aligned to identified developmental needs in individual schools or groups of schools (Education Development Plan Priority 4 “Schools Causing Concern”) e.g. developing inclusive practice, making effective use of Adults other than Teachers.
- Guidance to schools on entitlement to additional support for Vulnerable Children and Young People, including those with SEN, from the CYPS specialist services and outreach support services from Special Schools.
- An integrated Workforce Development training plan, as detailed in the Early Years Foundation Stage (EYFS), has been drawn up to address the needs of the practitioners from the different early years providers. The plan covers ten priority areas for training.
- Advice and support from Area Early Years SENCOs.

(viii) reviewing and updating SEN policy and development plans.

- The SEN Policy will be updated on a 3-year cycle.
- The CYPP objectives, targets and milestones are reviewed annually.
- The LDD Strategy – the Council and its partners have set out action to develop and implement an integrated approach to the delivery of services for children with learning difficulties and/or disabilities and improve the range and coverage of these services (JAR Action Plan 2007).
- Service development plans/action plans are reviewed at least annually.
- The DfES (DCSF) annual SEN Adviser visit, which focuses on key areas of the LA’s self-evaluation against the DfES framework, informs the development of service action plans and the CYPP.

2.3 The management of SEN funding

The provision for children with SEN (but without statements) which the LA expects normally to be met from maintained schools’ budget shares and that element of such provision that the authority expects normally to be met from funds which it holds centrally are described in Section 5.

Schools are expected to take responsibility to financially outline the provision and support they are making for pupils with SEN by completing Part 6 of the annual Section 52 financial reporting statement. (Guidance on how to do this is in the North Yorkshire Inclusion Quality Mark).

Funding has been identified from the General Sure Start Grant to enable non-maintained settings to include children with high incidence, low need SENs at Early Years Action Plus.

For children with SEN but without statements:

(i) Schools must:

- do their best to ensure that the necessary provision is made for any pupil who has SEN;
- inform the pupil's parents/carers that special educational provision is being made for them because they have SEN (i.e. they are being supported at School Action of the SEN Code of Practice);
- ensure that parents have knowledge about the SEN provision that the school makes; is able to make their views known about how their child is educated and have access to information, support and advice regarding their child's SENs;
- ensure that, where the 'responsible person' - the head teacher or the appropriate governor - has been informed by the LA that a pupil has SEN, those needs are made known to all who are likely to teach them;
- ensure that teachers in the school are aware of the importance of identifying, and providing for, those pupils who have SEN, including differentiating the curriculum;
- ensure that a pupil with SEN joins in the activities of the school together with pupils who do not have SEN, so far as is reasonably practical and compatible with the child receiving the special educational provision their learning needs call for and the efficient education of the pupils with whom they are educated and the efficient use of resources;
- consult the LA and the governing bodies of other schools, when it seems to be necessary or desirable in the interests of co-ordinated special educational provision in the area as a whole;
- have a written SEN policy containing the information as set out in the Education (Special Educational Needs) Regulations 1999 (reproduced in the SEN Code of Practice) and report to parents on it in the school prospectus, including the name of the person responsible for co-ordinating SEN provision;
- have regard to the SEN Code of Practice, which is designed to help schools make effective decisions but does not set out what to do in each individual case.

(ii) Schools should plan well and make good provision for pupils with SEN by ensuring that:

- learning targets for individual pupils are identified;
- additional or different provision from the differentiated curriculum is planned and offered to all pupils;
- provision is reviewed in light of individual pupil outcomes.

If a school has a policy of planning, target setting and recording the progress of all pupils as part of personalised learning then there is not a need for the school to write Individual Education Plans for children and young people with SEN.

(iii) Schools should be able to demonstrate inclusive practice is in line with the National Strategies wave model.

- **Wave 1** is quality inclusive teaching which takes into account the learning needs of all the children in the classroom.
- **Wave 2** describes specific, additional and time-limited interventions provided for some children who need help to accelerate their progress to enable them to work at or above age-related expectations.
- **Wave 3** describes targeted provision for a minority of children where it is necessary to provide highly tailored intervention to accelerate progress or enable children to achieve their potential. This may include one-to-one or specialist interventions.

(iv) The Local Authority must monitor, challenge, intervene and support schools in making provision for children with SEN/LDD.

Schools are monitored to ensure that the County Council is able to account for the money which it delegates and spends itself in connection with schools, and gives best value for money.

The CYPS, through the Quality and Improvement Service and its other Service Groups acts as the 'critical friend'; both supporting schools and settings in what they do well, and challenging them, when appropriate, to do better. This requires:

- a detailed analysis of all performance data related to standards, well-being and finances;
- a close knowledge of the current picture gained through regular visiting to most schools, with the schools' agreement;
- a good grasp of a school's aspirations including its plans and targets;
- a system of regular meetings of those with knowledge and understanding of the schools.

A school inclusion profile is maintained which includes information from:

- recent OFSTED inspection reports;
- the school's PANDA and Fischer Family Trust data;
- the school's Self-Evaluation Form (SEF);
- the school's strategic plan;
- analysis of trend data and moving averages (very important for schools with small cohorts);
- analysis of pupil progress data matching individual pupils' results between key stages;
- exclusion and attendance data;
- financial data;
- visits by SIPs; link advisers; strategy and early years consultants; subject/aspect advisers; financial bursars;

- visits/information available from any other Service Group including Human Resources, Specialist Support Services and the Parent Partnership Service;
- the Directorate's Complaints Officer;
- human resources data.

If after systematic monitoring a school appears to have an issue around inclusion further investigation and challenge from initially the SIP and then specialist advisers from the LA will take place in one of the following ways:

- Immediate communication;
- SIP visit;
- Paired visit;
- Focussed review;
- Themed review.

If on monitoring a school serious and/or chronic concerns/issues around inclusion are prevalent a short-notice (one to three days), focussed review will take place. The inclusion profile may also act as an alert, including the non-return of Part 6 of the Section 52 financial statement.

For children with SEN for whom the Authority maintains a statement schools must:

- (i) ensure all of the above; and
- (ii) make the provision specified in statements through the funding made available to them from the Local Authority;
- (iii) monitor the child's progress against the objectives as set out in the statement;
- (iv) initiate the annual review of the statements, ensure that all relevant representatives are invited to the review meeting and ensure that a report is provided to the LA following each meeting no later than 10 days after the annual review or the end of term, whichever is earlier.

(vi) Disability Equality Scheme

From December 2006 (2007 primary and special schools) schools must publish a three-year disability Equality Scheme showing how they will promote equality of opportunity for disabled pupils, staff and those for whom they provide services. They must also publish an annual action plan showing how they are implementing their scheme. A school's Disability Equality Scheme should show:

- how disabled people with an interest in the Scheme have been involved in its development;

- the methods for assessing the impact of policies and practices on equality for disabled persons;
- the steps that will be taken to promote equality of opportunity for disabled people;
- the effect of policies and practices for disabled people, including information on recruitment, development and retention of disabled employees; educational opportunities for and achievements of disabled pupils;
- the arrangements for making use of this information to help promote equality of opportunity.

2.4 Monitoring and reviewing the role of central SEN support services and parent partnership services.

- (i) All SEN support services carry out an annual self-assessment which informs service improvement and service development plans.
- (ii) Support and outreach services commissioned from special schools have a Service Level Agreement which is reviewed annually.
- (iii) SEN support services are monitored and reviewed by the Quality and Improvement service through an annual questionnaire to schools and full service reviews as required.
- (iv) The LA is required to keep its pattern of provision for SEN, including SEN support services, under review. The last review took place in 2006 with a phased implementation of the provision agreed by the Council to take place 2007/08 – 2018/19.
- (v) The Parent Partnership Service is subject to external review.

2.5 Key documents:

- Monitoring, Challenge, Intervention and Support of Schools and Settings (2000-2009).
- Guidance for schools, settings, SEN Advisory Panels on the identification, assessment and provision for children with SEN (2006).
- Vulnerable Children and Young People: Specialist Support to Schools – Guidance to Entitlement and Additional Support (2007).

SECTION 3: The Children and Young People's Service Inclusion Statement

Promoting inclusive education is a key strategic aim of North Yorkshire County Council and the Children and Young People's Service. This Statement sets out what we mean by 'inclusion'.

Inclusion is concerned with the identification and removal of barriers to the *presence*, *participation* and *achievement* of **all** children and young people. We also believe that there needs to be an emphasis placed on groups of learners that may be at risk of under-achievement, exclusion or marginalisation. For inclusion to move forwards successfully, we need to engage all of those involved with the education of children and young people both in terms of what can be achieved now and through the continuous development of our long-term strategies.

'*Presence*' is concerned with where children and young people are educated, and whether they attend regularly and arrive punctually. In line with government policy, we believe that learners should receive their education, wherever possible, in a mainstream setting. If, for whatever reason, this is not practicable, they should receive their education as close to their home as possible. Every effort should also be made to enable learners attending specialist provision to maintain social links with their neighbourhood peers and have access to appropriate mainstream experience.

'*Participation*' is concerned with the quality of learners' educational experiences, and the extent to which they feel that they 'belong'. We believe that all learners have a right to experience success in learning and, as a result, become self-confident and develop a strong sense of self-worth. Children, and their parents, have a right to express their views about educational matters that affect them. We have a responsibility to listen to, and learn from, those views.

'*Achievement*' is concerned with learning outcomes across the whole curriculum. It is concerned with what learners learn both inside and outside the classroom and how they learn. Achievement, therefore, includes academic attainment, but is a much broader concept and cannot be measured by tests alone.

Finally, we believe that promoting inclusion is a 'whole-service' issue. This Statement, therefore, has implications for everything that the LA, its schools and Early Years providers does, and everybody working in the Service has a contribution to make. We are committed to evaluating our progress towards becoming more inclusive and in particular, we will collect information that relates directly to the 'presence', 'participation' and 'achievement' of all children and young people with an emphasis on those learners who we believe may be at risk of under-achievement and not fulfilling their aspirations or potential.

Aims and principles of our strategies for improving the outcomes for children with SEN.

These aims and principles underpin the work of the Children and Young People's Service in making provision, and improving outcomes, for children and young people with SEN or a disability; those with medical needs and those at risk of, or who are, disaffected or excluded.

(i) Aims

Our starting point is the North Yorkshire Inclusion Statement, more specifically we aim to:

Presence

- Reduce the number of children and young people educated outside a mainstream setting.
- Ensure that all children with severe and complex needs have consistent access to specialist provision and expertise of equally high quality that is as close to their home as possible.
- Ensure that children attending specialist provision are provided with access to appropriate mainstream experience, in line with the wishes of the children and their parents.
- Improve the attendance and punctuality of these children, wherever they are educated.

Participation

- Ensure that children and young people feel included, they are listened to and that their contributions are valued, wherever they are educated.
- Ensure that provisions and services are respectful to children and young people and that they are fully consulted on educational matters that directly affect them, taking account of their developmental age.
- Ensure that parents and carers are consulted on educational matters that affect their children, and feel welcome in school or wherever their child is educated.

Achievement

- Improve the educational achievements of children and young people across the whole curriculum.
- Ensure that children and young people experience success in their education by having their achievements recognised, recorded and celebrated.

(ii) Principles

The following broad principles are expressed in terms of what the Children and Young People's Service, schools, settings and other agencies are committed to doing in order to achieve the outcomes described in the previous section. Our strategies will:

- be informed by the DfES's *'Removing Barriers to Achievement: The Government's Strategy for SEN'*;
- take full account of SEN and disability and equal opportunities legislation, other relevant DfES guidance, the National Service Framework and the Children Act 2004;
- recognise the need to ensure that high quality mainstream provision is available locally before special school places and out of school provision are reduced;
- improve and better co-ordinate specialist advice and support to mainstream schools through transforming the role of special schools and support services;
- ensure that financial and human resources are used effectively, efficiently and transparently, targeting the greatest level of support to the greatest level of need;
- recognise the importance of the early identification, assessment of need and transition planning for these children and young people;
- promote inclusive education in line with the North Yorkshire Inclusion Statement and the Children and Young People's Plan;
- promote schools working together in localities in order to enhance their capacity to meet the needs of these children and young people;
- recognise the need to provide co-ordinated community based support from all LA services to schools and parents/carers;
- contribute to the development of effective partnerships between the Children and Young People's Service, health and other statutory and voluntary agencies in order to deliver properly co-ordinated services to these children and their families.

North Yorkshire Inclusion Quality Mark

The North Yorkshire Inclusion Quality Mark (IQM) is an incremental, self-evaluation award. It is achievable at different levels on an annual basis and aims to:

- increase understanding of inclusion as an on-going process;
- foster inclusion (in terms of presence, participation and achievement);
- strengthen school self-evaluation, improvement and staff development;
- celebrate good inclusive practice;
- use learner participation as a stimulus to school improvement;
- provide clear judgements to inform school self-evaluation.

The IQM has been produced to help schools to engage with the educational and social inclusion agenda. A framework of 12 standards sets out the institutional and adult behaviour and processes needed to achieve a genuinely inclusive school. The IQM is practical and asks schools to reflect, examine and make judgements through sets of key questions on each of the standards.

The standards are as follows:

1. Welcoming school and ethos.
2. Access.
3. Resource Management.

4. Active Participation.
5. Policy-driven inclusive practice.
6. Personal and professional development.
7. Partnership with the community.
8. Partnership and collaboration.
9. Monitoring achievement.
10. Transitions.
11. Behaviour and Attendance.
12. Curriculum.

The IQM is awarded at 5 levels graduated between Level 1 for a school which is beginning to focus on inclusion though to Level 5 which celebrates the school being a fully inclusive, highly effective, leading school.

A moderation and validation process is undertaken annually by a Quality Assurance Group, including Quality and Improvement inclusion advisers, Access and Inclusion Service managers and representatives from primary, secondary and special schools.

SECTION 4: The Accountability Framework for Special Educational Needs (SEN) January 2008

The Local Authority¹ (LA) has an overall responsibility to ensure that the needs of children with SEN are met. The arrangements for doing this and the Local Authority's expectations of schools are set out in the Quality and Improvement Service document, 'Monitoring, Challenge, Intervention and Support of Schools' and Settings and in the SEN Policy Statement 2007-10.

This document can be found on our website as follows: www.northyorks.gov.uk under Education and Learning; Special Educational Needs, useful downloads.

The resources allocated to schools in respect of children with SEN through either the Local Management of Schools (LMS) formula or as earmarked resources in respect of pupils with SEN are described in Section 5.

1.0 The Accountability Framework for SEN

1.1 The statutory basis for the Accountability Framework for SEN is provided by the:

- Education Act (1996);
- School Standards and Framework Act (1998);
- Education and Inspection Act 2006;
- SEN and Disability Act 2001;
- Special Educational Needs Code of Practice (2001);
- Inclusive Schooling Guidance (DfES 2001);
- Code of Practice on LEA – School Relations (2001);
- Disability Discrimination Act 1995 Part 4: Code of Practice for Schools (2002);
- The Children Act (2004);
- The DfES and Disability Rights Commission guidance on 'Implementing the Disability Discrimination Act in schools and early years settings' (2006).

1.2 There are two linked key components:

- i) School's self-evaluation of their SEN provision

School leadership teams in partnership with Governing Bodies will complete a self-evaluation proforma on an annual basis. Those schools that demonstrate they make acceptable or better provision will be awarded the Inclusion Quality Mark.

¹The Local Education Authority (LEA) is subsumed within the Local Authority (LA)

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A moderation and validation process is undertaken annually by a Quality Assurance Group, including Quality and Improvement inclusion advisers, Access and Inclusion Service managers and representatives from primary, secondary and special schools.

ii) Monitoring schools' and settings' work on Inclusion and SEN

All monitoring will have inclusion at its heart and no school can be effective which is not inclusive in its aims and practice. Inclusion is concerned with the identification and removal of barriers to the *presence, participation* and *achievement* of all children and young people.

Schools are monitored to ensure that the County Council is able to account for the money which it delegates and spends itself in connection with schools, and gives best value for money.

The Children and Young People's Service (CYPS), through the Quality and Improvement Service and its other Service Groups acts as the 'critical friend'; both supporting schools and settings in what they do well and challenging them, when appropriate, to do better. This requires:

- a detailed analysis of all performance data related to standards, well-being and finances;
- a close knowledge of the current picture gained through regular visiting to most schools, with the schools' agreement;
- a good grasp of a school's aspirations including its plans and targets;
- a system of regular meetings of those with knowledge and understanding of the schools.

A school inclusion profile is maintained which includes information from:

- recent Ofsted inspection reports;
- the school's PANDA and Fischer Family Trust data;
- the school's Self-Evaluation Form (SEF);
- the school's strategic plan;
- analysis of trend data and moving averages (very important for schools with small cohorts);
- analysis of pupil progress data matching individual pupils' results between key stages;
- exclusion and attendance data;
- financial data;
- visits by School Improvement Partners (SIPs); link advisers; strategy and early years consultants; subject/aspect advisers; financial bursars;
- visits/information available from any other Service Group including Human Resources, Specialist Support Services and the Parent Partnership Service;
- the Directorate's, Complaints and Commendations Officer;
- human resources data.

If after systematic monitoring a school appears to have an issue around inclusion further investigation and challenge from initially the SIP and then specialist advisers from the LA will take place in one of the following ways:

- immediate communication;
- SIP visit;
- paired visit;
- focussed review;
- themed review

If on monitoring a school serious and/or chronic concerns/issues around inclusion are prevalent a short-notice (one to three days), focussed review will take place. The inclusion profile may also act as an alert, including the non-return of Part 7 of the Section 52 financial statement.

Early Years Setting will be monitored through the LA's normal systems for schools/settings causing concern as identified above. In addition revised guidance to supplement the Inclusion Quality Mark will be available to support settings in their self-evaluation.

2.0 Children with SEN for whom the Authority maintains a statement of special educational needs

The LA must:

- i) ensure all of the above; **and**
- ii) make the provision specified in statements through the funding made available to them from the LA;
- iii) monitor the child's progress against the objectives as set out in the statement;
- iv) initiate the annual review of the statements, ensure that all relevant representatives are invited to the review meeting and ensure that a report is provided to the LA following each meeting no later than 10 days after the annual review or the end of term, whichever is earlier.

3.0 Disability Equalities Scheme

From December 2006 (2007 for primary and special schools) schools must publish a three year disability Equality Scheme showing how they will promote equality of opportunity for disabled pupils, staff and those for whom they provide services.

They must also publish an annual action plan showing how they are implementing their scheme. A school's Disability Equality Scheme should show:

- how disabled people with an interest in the Scheme have been involved in its development;

- the methods for assessing the impact of policies and practices on equality for disabled persons;
- the steps that will be taken to promote equality of opportunity for disabled people;
- the effect of policies and practices for disabled people, including information on recruitment, development and retention of disabled employees; educational opportunities for and achievements of disabled pupils;
- the arrangements for making use of this information to help promote equality of opportunity.

4.0 Monitoring and reviewing the role of central SEN support services and parent partnership services

- all SEN support services carry out an annual self-assessment which informs service improvement and service development plans;
- support and outreach services commissioned from special schools have a Service Level Agreement which is reviewed annually;
- SEN support services are monitored and reviewed by the Quality and Improvement service through an annual questionnaire to schools and full service reviews as required;
- the LA is required to keep its pattern of provision for SEN, including SEN support services, under review. The last review took place in 2006 with a phased implementation of the provision agreed by the Council to take place 2007/08 – 2018/19;
- the Parent Partnership Service is subject to external review.

SECTION 5: Local management of resources allocated to schools through either the LMS formula or as earmarked resources in respect of pupils with SEN

1.0 SEN Funding

- i) 'The Financing of Maintained Schools Regulations 2004' and 'The LA Budget, Schools Budget and Individual School's Budget Regulations' set out how maintained schools will receive their annual revenue funding. By the 31st March each year, every school must be issued with a Section 52 Budget Statement.
- ii) The arrangements under which the SEN element of mainstream schools' budgets are established are described in the Local Authority's Section 52 Budget Statement, and the amount that each school receives is set in out the school's annual Section 52 Budget Statement.
- iii) Elements of the funding are kept under review to ensure that the strategy for delegation is clear, that it reflects the LA's commitment to inclusion and its expectations on resource deployment.
- iv) The LA's expectation of what schools would normally provide from their budget share for children with SEN but without statements is set out in Section 2 of the SEN Policy Statement 2007-2010. For children with statements of special educational needs this is specified in the statement.

2.0 Low Attainment SEN Funding

Secondary Schools

The Low Attainment SEN Funding within a school's delegated budget is made up of five elements:

i) **The Secondary Non-Grammar Factor**

This is an age weighted pupil allocation to pupils in Years 6 to 11. The following weightings are applied to Secondary School pupils based on an historical formula for the allocation of enhanced staffing for SEN that pre-dates the LMS scheme.

- Grammar Schools 0
- Comprehensive Schools 1
- Secondary Modern Schools 2

ii) **Early Intervention Support for Behaviour Difficulties**

Funding is allocated through the same formula as for Low Needs, High Incidence SEN Support.

iii) **Other Specific Funding for Low Attainment SEN**

A proxy indicator of entitlement to free school meals is also used to allocate resources to schools to support Low Attainment SEN.

iv) **Personalised Learning**

Funding is allocated as follows:

- 15% on the basis of pupil numbers excluding sixth form pupils;
- 35% based on the number of children eligible for a free school meal;
- 50% based on a 3 year average of the number of children below the national average.

v) **Pockets of Deprivation Funding**

Tax Credit deprivation indicators were provided by the DCSF. This provided every school in the country with a deprivation score ranging from 0% - 100% (highest score = most deprived). The number of pupils in each school was multiplied by the school score to obtain a weighted pupil number. The total funding was then divided by the number of weighted pupils arriving at an amount per weighted pupil. In this way, greater allocations are made to schools with the highest deprivation scores with pupils numbers also being taken into account.

Primary Schools

The Low Attainment SEN Funding within a school's delegated budget is made up of four elements.

i) **7% of each individual Age Weighted Pupil Unit**

7% for pupils in reception year, to year 6 has been identified as funding allocated to support pupils with SEN.

ii) **Early Intervention for Behaviour Difficulties**

Funding is allocated through the same formula as for Low Needs, High Incidence SEN Support.

iii) **Other Specific Funding for Low Attainment SEN**

A proxy indicator of entitlement to free school meals is also used to allocate resources to schools to support low attainment SEN.

iv) **Personalised Learning**

Funding is allocated as follows:

- 15% on the basis of pupil numbers excluding sixth form pupils;
- 35% based on the number of children eligible for a free school meal;
- 50% based on a 3 year average of the number of children below the national average.

v) **Pockets of Deprivation Funding**

Tax Credit deprivation indicators were provided by the DCSF. This provided every school in the country with a deprivation score ranging from 0% - 100% (highest score = most deprived). The number of pupils in each school was multiplied by the school score to obtain a weighted pupil number. The total funding was then divided by the number of weighted pupils arriving at an amount per weighted pupil. In this way, greater allocations are made to schools with the highest deprivation scores with pupils numbers also being taken into account.

3.0 **Additional Education Needs Funding**

Secondary Schools

Funding is allocated to specific schools through the following factors:

Ethnic Minority Funding – for each child whose first language is not English additional resources are allocated.

Pupil Retention Funding – DETR child poverty index, free school meals, unauthorised absence, turbulence information, ethnicity and type of school are all used as factors to allocate resources to support pupils in danger of exclusion.

Turbulence Funding – the number of pupils starting and leaving a school are counted over and above the main starters and leavers and divided by the base number of pupils at the beginning of the academic year to derive a percentage turnover of pupils. Based upon the percentage turnover schools with the largest turnover are allocated additional resources to reflect the additional needs of both schools and pupils.

Primary Schools

Funding is allocated to specific schools through the following factors:

Ethnic Minority Funding – for each child whose first language is not English additional resources are allocated. Where the percentage of children whose first language is not English exceeds 20% the school will receive a lump sum as well.

Social Priority Fund – if the percentage of pupils entitled to free school meals exceeds either 25% or 35% additional resources are allocated to schools to support both the schools and the pupils.

Turbulence Funding - the number of pupils starting and leaving a school are counted over and above the main starters and leavers and divided by the base number of pupils at the beginning of the academic year to derive a percentage turnover of pupils. Based upon the percentage turnover schools with the largest turnover are allocated additional resources to reflect the additional needs of both schools and pupils.

4.0 Delegated Funding for Low Needs/High Incidence SEN

Funding is allocated to schools by the following formula to support children with SEN, including those in the foundation stage, at school action plus and with low need, high incidence statements:

- i) **Prior Attainment (80% of the resources)** – the number of children achieving below the county average is expressed as a percentage of the pupils taking the SATs for that Key Stage. This information is averaged over a three year period. The average is put in one of ten bands which will determine the weightings to be applied to the pupils. The weighted pupils are then funded at differential rates for primary and secondary schools.
- ii) **Deprivation (6.67% of the resources)** – children eligible to free schools meals is used as a factor to determine levels of deprivation and pupil led funding is provided at differential rates per pupil for primary and secondary schools.
- iii) **Deprivation (6.67% of the resources)** – using the Pupil Level Annual School Census (PLASC) data every pupil's home postcode is plotted against the Index of Multiple Deprivation which gives each pupil a score based upon the ward they live. The scores for every pupil in each school are added together and then divided by the total number of pupils to give an average score per school. Additional resources are allocated to 25% of the total pupils based upon the schools with the highest average score.

If a school is deemed to be entitled to funding then all pupils in the school receive this. The funding is at different levels for primary and secondary schools.

This information is also used to weight the number of foundation pupils in primary schools who are funded at the same level as the weighted pupils receiving prior attainment funding.

- iv) **Turbulence (6.67% of the resources)** – at the beginning of the academic year the number of pupils is counted in each school. Excluding the starters and leavers at the beginning and end of an academic year, the number of

pupils starting and leaving is counted each month. If the number of pupils exceeds 10% or 10 pupils in Primary, and 5% or 10 pupils in secondary, pupils over the threshold receive funding at differential rate for primary and secondary schools.

5.0 Delegated funding to Support High Need/Low Incidence Statements

Funding is allocated to schools for the following categories of need:

- high need, low incidence statements for learning difficulties;
- high need, low incidence statements for emotional, behavioural and social difficulties;
- high need, low incidence statements for language and communication difficulties.

Post 16 statements

The funding to support post 16 pupils with SEN is provided by the Learning Skills Council (LSC). The LSC has indicated that they intend to review the way in which they allocate this funding. In anticipation of changes to the funding of post 16 SEN provision these statements are funded outside of the delegation formula, irrespective of the type of need or level of support provided by the LA.

Physical and Sensory Difficulties

These statements are considered to be low incidence and prior attainment is not a good indicator of the level of need.

OLEA (Other Local Education Authority) pupils educated in North Yorkshire Schools

The resources for these statements are recouped from the home LEA and are identified in the statement issued by that authority as schemes of delegation for SEN resources are not consistent across local authorities.

Short Term Medical Support

Earmarked resources can be provided for pupils with short-term medical needs without recourse to statutory assessment. Schools are expected to fund the first 5 hours of support from within their own resources.

Early Years pupils

Children with high need SEN statements attending school on a part-time basis and where the resources if allocated on a full-time basis would be above the delegation threshold. Children with statements for sensory or physical needs would receive earmarked funding as above.

Vulnerable children in 'transition' with low need/high incidence statements

Looked After Children (Children in Public Care), with statements of SEN, moving into the authority, and those children moving from a specialist provision to a mainstream school, receive earmarked funding for the first year of the placement irrespective of the cost of the support specified in the statement where needs are associated with learning, behavioural, emotional, social or language and communication difficulties. Children with statements for sensory or physical needs would receive earmarked funding as above.

Support for children undergoing statutory assessment

In exceptional circumstances schools may receive additional support for pupils undergoing a statutory assessment. Schools are expected to fund the first 15 hours of support from within their own resources.

Financial assistance on school visits for pupils with high need, low incidence statements of special educational need in mainstream schools.

Requests for additional teaching assistant support for educational visits for children with a high need, low incidence statement of special educational needs would be considered where the activities:

- take place mainly or wholly in school hours;
- are undertaken as part of the National Curriculum;
- are a necessary part of an examination syllabus.

The allocations to schools are based upon the hours in a pupil's statement multiplied by the annual hourly rate. Additional resources are also allocated to cover the cost of staff absence, insurance premiums, payroll and occupational health traded services charges and the cost of recruiting staff. Funding is adjusted on a monthly basis to reflect changes to the statement following annual or interim reviews or pupils starting and leaving a school.

6.0 Dual placements

A dual placement can be made between a maintained special and a mainstream school. This can support inclusion and prepare pupils for transition to mainstream education.

- Pupils are deemed as being educated at the school in which they spend the majority of their time but remain on the roll of both schools.
- The placement should be supported by an Inclusion Plan which must include the monitoring and evaluation arrangements.

Funding for dual placements has been delegated to North Yorkshire Special Schools with effect from April 2005. Special Schools will advise the mainstream schools of any funding that they will receive and the period that it covers. The funding is transferred via a journal to Education Finance by the Special School.

7.0 The LA's expectation of what schools and settings should normally provide from their budget share

7.1 The LA's expectation of what settings should normally provide from their budget share:

- i) Settings are expected to use their funding to reflect the requirements of the SEN Code of Practice. The LA expects that settings' resources will normally secure the following range of functions:
 - providing a Special Educational Needs Co-ordinator (SENCO) in line with Section 173 of the Education and Inspections Act 2006, the revised expectations of the Code of Practice (2001) and the "Grant Agreement for the management of Foundation Stage (Early Years) Education in non-maintained settings";
 - providing staff and resources to meet the need for identified individual or small group provision and support for children at Early Years Action and Action Plus as set out in Individual Education Plans (IEPs) or through provision mapping;
 - providing pastoral and management time in addition to that of the SENCO;
 - providing training in SEN to ensure that staff expertise reflects the principles in the Foundation Stage Curriculum Guidance;
 - making provision in accordance with a child's statement of special educational needs.

7.2 Schools' entitlement of support from the LEA

- i) The LA is expected to meet the requirements of the SEN Code of Practice by:
 - ensuring that advice and support is available to settings through the Early Education Consultants at Early Years Action and Pupil and Parent Support Services at Early Years Action Plus and children with Statements of SEN;
 - securing effective assessment of pupils who might need a statement of SEN;
 - providing additional resources via the Inclusion Fund to support inclusive practice;
 - providing additional resources in the form of centrally funded provision as defined in the children's statements.

7.3 The Local Authority's expectation of what schools should normally provide from their budget share.

- i) A school's resource deployment will depend on a number of factors. These include the:

- age range of pupils;
 - size of the school;
 - types and levels of need within the school;
 - number of statements and IEPs to be managed;
 - number of staff to be managed;
 - whole-school management structures;
 - expertise of staff;
 - size of budget;
 - level of budget carry-over;
 - level of LA resources available to the school.
- ii) Schools are expected to use their budget to reflect the requirements of the SEN Code of Practice. The LA expects that schools' resources will normally secure the following range of functions:
- providing a Special Educational Needs Co-ordinator (SENCO) in line with Section 173 of the Education and Inspections Act 2006, the expectations of the Code of Practice (2001), the TTA (Teaching Training Agency) Standards (1998);
 - providing staff (teaching, assistant and administrative) and resources (learning, ICT and other) to meet the need for identified individual or small group provision and in class support for pupils at Early Years/School Action and Action Plus as set out in Individual Education Plans (IEPs) or through provision mapping;
 - providing pastoral and management time in addition to that of the SENCO;
 - providing training in SEN to ensure that staff expertise reflects TTA standards;
 - providing 'bonus' staffing aimed at reducing class sizes in such a way as to benefit identified groups of pupils with SEN;
 - making provision in accordance with a pupil's statement of special educational needs.

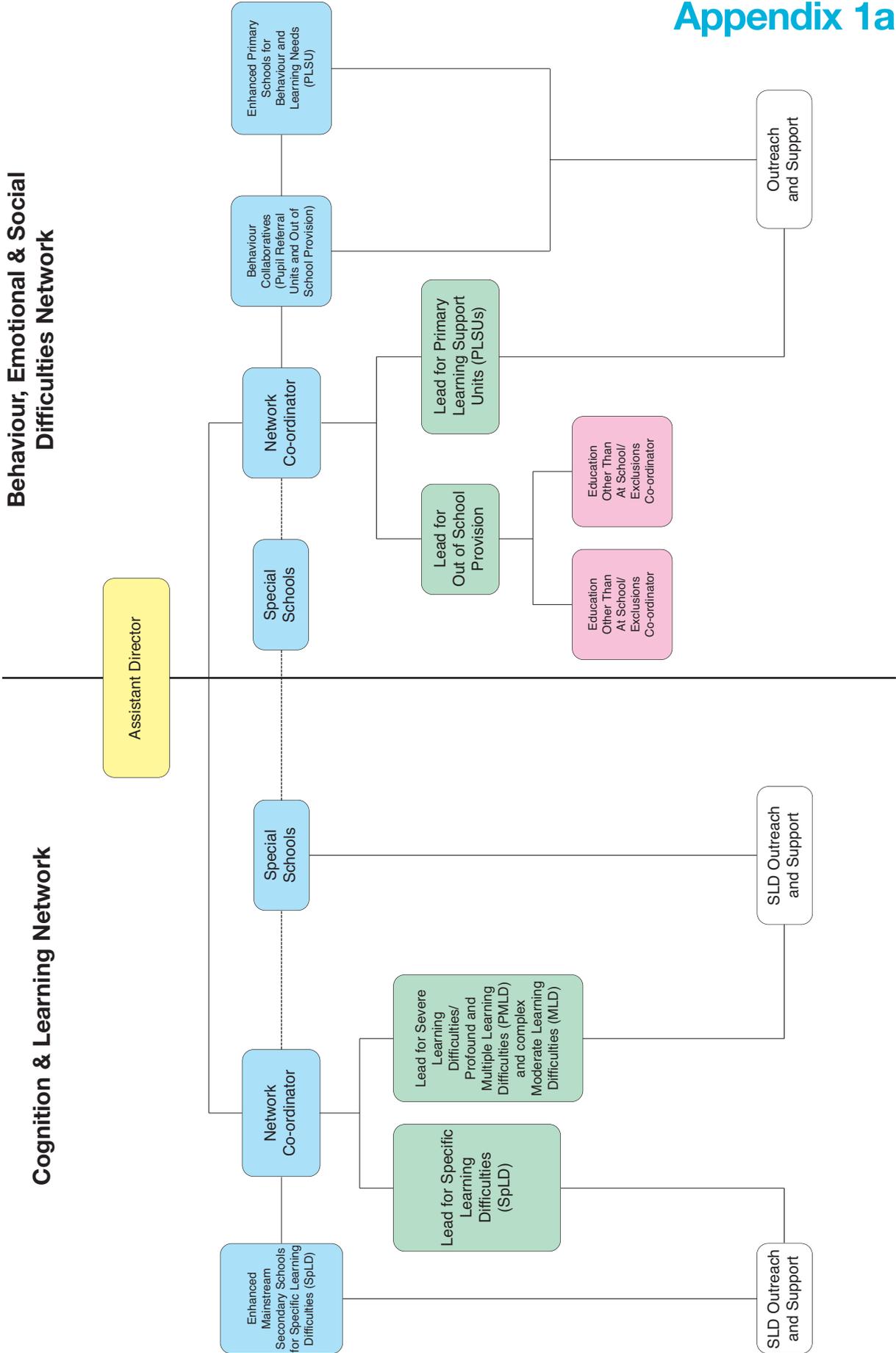
8.0 Schools' entitlement of support from the LA

8.1 The LA is expected to meet the requirements of the SEN Code of Practice by:

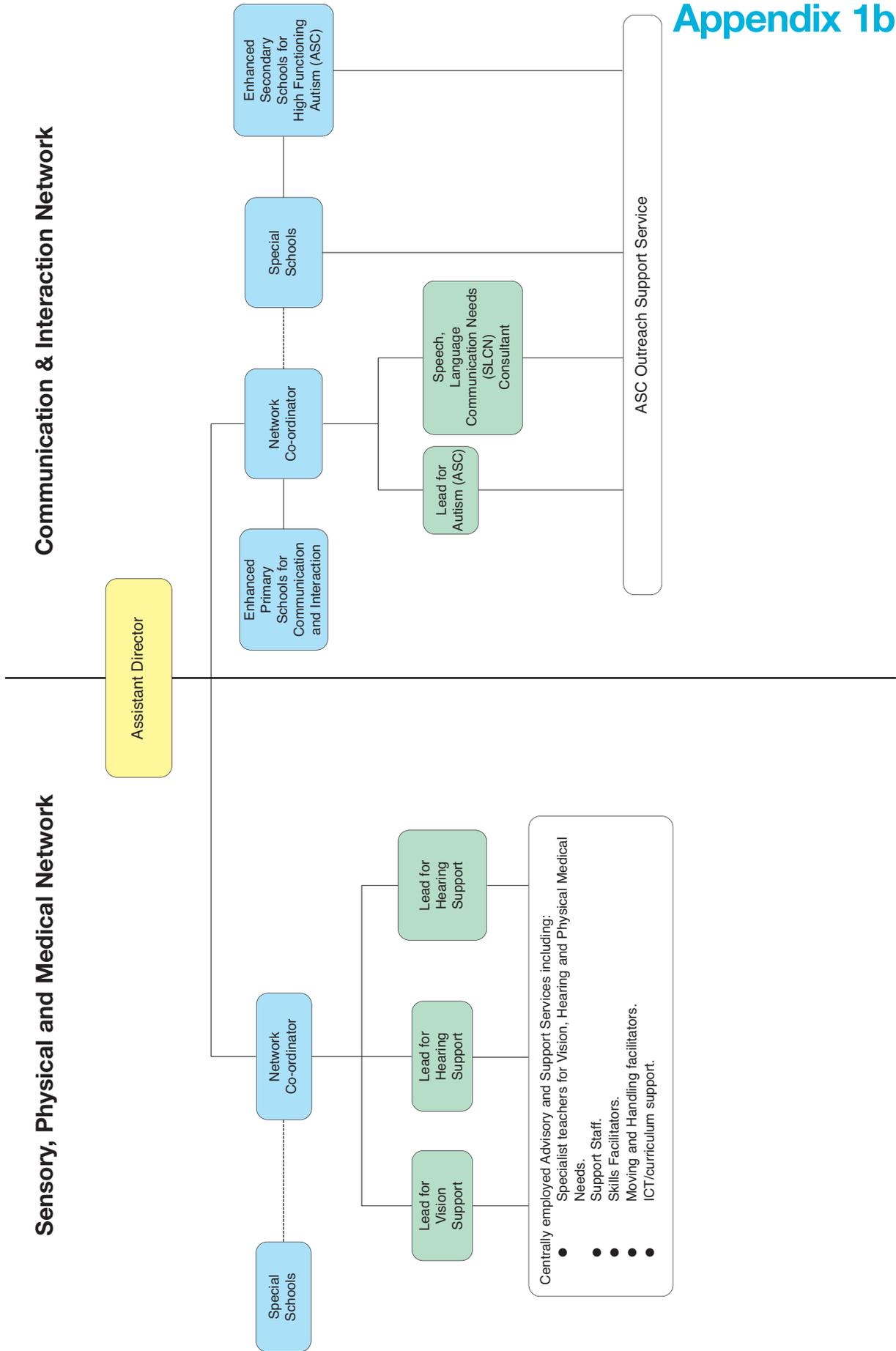
- ensuring that advice and support is available to schools through the Access and Inclusion Services at School Action and School Action Plus;
- securing effective assessment of pupils who might need a statement of SEN;
- providing additional resources in the form of centrally funded provision as defined in the pupils' statements.

Appendix 1a

ACCESS & INCLUSION



ACCESS & INCLUSION



ACCESS & INCLUSION

Educational Psychology Service

