



**Buckinghamshire University Technical College**

**Special Educational Needs &  
Disability Policy  
(SEND)**

Responsible Officer:	Assistant Principal (SENCO)
Date:	September 2020 (Amendment July 2020)
Review date:	September 2021
Procedure available:	Website/Reception/Learning Centre
Authorised by:	Governing Body

## **EHC Needs Assessments during the COVID-19 Pandemic Buckinghamshire Guidelines Amendment (Government guidelines last updated 31<sup>st</sup> July 2020)**

During the COVID-19 pandemic, the law around SEND as outlined in the Children and Families Act 2014 and the SEND regulations 2014 still applies for the most part.

The Special Educational Needs and Disability (Coronavirus) (Amendment) Regulations 2020 (S.I. 2020/471) ([the Amendment Regulations](#)) amend 4 sets of Regulations for the period 1 May to 25 September 2020 (inclusive). This guidance is about temporary changes in the law on timescales to both produce new plans, and processes linked to existing plans.

The Regulations which provide most of the statutory timescales for the EHC needs assessments and plans processes will be modified. If timescales are not able to be adhered to because of the restrictions imposed by COVID-19, then an exception period applies.

## ARRANGEMENTS FOR STUDENTS WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND)

### Purpose:

This policy deals with the special educational needs of children and young people at Bucks UTC. We recognise that some of our students will have special educational needs and disabilities and we are mindful of our duty to provide a broad and balanced curriculum which is tailored to individual needs.

### Our SEN policy along with our information report aims to:

- Set out how the UTC will support and make provision for students with special educational needs and Disabilities (SEND)
- Explain the roles and responsibilities of everyone involved in providing for students with SEND

### Compliance:

This policy complies with the statutory requirement laid out in the SEND Code of Practice 0-25 (2015) and the following legislation:

- *Part 3 of the Children and Families Act 2014*, which sets out schools' responsibilities for pupils with SEN and disabilities
- *The Special Educational Needs and Disability Regulations 2014*, which set out schools' responsibilities for education, health and care (EHC) plans, SEND Co-ordinators (SENCOs) and the SEND information report
- *Equalities Act 2010*, which sets out legislation and guidance for discrimination against a pupils disability

### Definition:

Definitions of special educational needs and disability is taken from section 20 of the Children and Families Act 2014.

*A child or young person has SEN if they have a learning difficulty or disability which calls for special educational provision to be made for them.*

- a. Have a significantly greater difficulty in learning than the majority of others the same age; or*
- b. Have a disability which prevents or hinders them from making use of educational facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions*

*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.*

Many children and young people who have SEN may have a disability under the Equality Act 2010. This definition includes children and young people with long term medical conditions such as Asthma, diabetes, epilepsy and cancer.

The UTC have also regarded the statutory guidance for supporting pupils with medical conditions (DfE 2014).

### **Introduction**

The current government continues to reform the way in which provision and support is made for children and young people with special educational needs and disabilities in England. New legislation (The Children and Families Act 2014) enacted on 13<sup>th</sup> March 2014 came into force from 1<sup>st</sup> September 2014. A new SEN Code of Practice (updated 2015) also accompanies this legislation. This can be found at:

[www.gov.uk/government/publications/send-code-of-practice-0-to-25](http://www.gov.uk/government/publications/send-code-of-practice-0-to-25)

One significant change in these reforms is that the Statement of Special Educational Needs, for those with the most complex needs, has now been replaced with the Education, Health and Care Plan (EHC). Bucks County Council along with all other local authorities, is required to publish information about the services they expect to be available in their area for children and young people from birth to 25 who have special educational needs or disabilities. This is known as 'the local offer', further details can be found at:

[www.bucksfamilyinfo.org/localoffer](http://www.bucksfamilyinfo.org/localoffer)

### **Statement of Policy**

- Bucks UTC will provide every student with access to a broad and balanced education, this includes the national curriculum in line with the Special Educational Needs Code of Practice.
- Bucks UTC will help to foster the potential of every student, promoting the 'can do will do' attitude that is essential for success, confidence and self-esteem, this includes promoting independence, equality and consideration for others.
- Bucks UTC holds as one of its highest priorities the health, safety and welfare of all children and young people involved in courses or activities which come under the responsibility of the Bucks UTC
- Bucks UTC will have a Special Educational Needs policy and procedures in place, which is made available to parents, students, staff and Governors
- Bucks UTC will offer an additional learning support (ALS) service for students with a range of additional needs:
  - We will provide support for students with a learning difficulty, disability, medical condition or mental health condition.
  - ALS will be available to all students with additional needs (subject to assessment and agreement of need, resources and funding).
  - ALS will be arranged to fit in with individual students' timetables.
  - Referrals to ALS can occur at any time during the academic year.
- Reasonable support adjustments will be made regardless of course or location to ensure that students with a learning difficulty or disability are not disadvantaged. Services are provided to students attending the Bucks UTC campus, and to students

who attend or access learning programmes in the community or in the workplace.

- Bucks UTC will draw up a written three year plan to increase over time accessibility to the UTC premises, the curriculum and information to disabled students within the resources we can afford.
- Bucks UTC provides a senior member of staff designated to take lead responsibility for dealing special educational needs and disabilities (SENCO), providing advice and support to staff and parents, and liaising with external agencies
- Where we do not have in-house expertise, we may seek advice from external specialist organisations, for example, Bucks Specialist Teaching Service, Royal National Institute for the Blind (RNIB), British Dyslexia Association (BDA), MENCAP, Child and Adolescent Mental Health Services (CAMHS), MIND, Bucks Interpreting Servicing.
- Bucks UTC will provide regular CPD training to ensure all staff are aware of the arrangements for SEND and their responsibilities
- Bucks UTC will undertake an annual review (or with legislative changes and guidance) of its policies and procedures relating to SEN. The content of this policy and the effectiveness of its implementation will be reviewed each year by SMT and the Governing Body
- The Governing Body will receive reports from the Assistant Principal that identifies the success of students with SEND, compared with national attainments. This data will be scrutinised and an action plan will be produced to improve outcomes further. These actions will form part of the performance management targets of staff at the Bucks UTC.

## Policy Objectives:

1. **Staff members seek to identify the needs of students with SEN as early as possible.** This is most effectively done by gathering information from parents, education, health and care services, external agencies and feeder schools prior to the students' entry into the UTC if possible. Where needs have not been previously identified, staff have an obligation to report observations to the SENCO.
2. **Rigorously monitor the progress of all students** in order to support the identification of students with SEN; continuous monitoring of those students with SEN by staff will help to ensure that they are able to reach their full potential.
3. **Make appropriate provision to overcome barriers to learning and ensure all students with SEN have full access to the national curriculum.** This will be co-ordinated by the Head of Learning Support (SENCO) and will be carefully monitored and regularly reviewed to ensure that individual targets are being met and all students' needs are catered for.
4. **Work with parents** to gain a better understanding of their child, and involve them at all stages of their child's education. This includes supporting them in terms of understanding SEN procedures and practices and providing regular feedback on their child's progress.
5. **Work with and in support of outside agencies** when students' needs cannot be met by the UTC alone.
6. **Create a learning environment where students can contribute to their own learning** by offering all students the opportunity to voice their own opinions. This is achieved by encouraging positive relationships with all staff in the UTC and carefully and accurately monitoring progress of all students at regular intervals.

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For further information see Appendix 1 – Guidance for Staff

## **Role and Responsibilities**

### **SENCO will:**

- Work with the Principal and SEN governor to determine the strategic development of the SEN policy and provision in the school
- Have day-to-day responsibility for the operation of this SEN policy and the co-ordination of specific provision made to support individual pupils with SEN, including those who have EHC plans
- Provide professional guidance to colleagues and work with staff, parents, and other agencies to ensure that pupils with SEN receive appropriate support and high quality teaching
- Advise on the graduated approach to providing SEN support
- Advise on the deployment of the school's delegated budget and other resources to meet pupils' needs effectively
- Be the point of contact for external agencies, especially the local authority and its support services
- Liaise with potential next providers of education to ensure pupils and their parents are informed about options and a smooth transition is planned
- Work with the Principal and governing board to ensure that the school meets its responsibilities under the Equality Act 2010 with regard to reasonable adjustments and access arrangements
- Ensure the school keeps the records of all pupils with SEN up to date

### **The SEN Governor will:**

- Help to raise awareness of SEN issues at governing board meetings
- Monitor the quality and effectiveness of SEN and disability provision within the school and update the governing board on this
- Work with the Principal and SENCO to determine the strategic development of the SEN policy and provision in the school

### **The Principal will:**

- Work with the SENCO and SEN governor to determine the strategic development of the SEND policy and provision in the school
- Have overall responsibility for the provision and progress of learners with SEN and/or a disability

### **Class Teachers:** are responsible for:

- The progress and development of every pupil in their class
- Working closely with any teaching assistants or specialist staff to plan and assess the impact of support and interventions and how they can be linked to classroom teaching
- Working with the SENCO to review each pupil's progress and development and decide on any changes to provision
- Ensuring they follow this SEND policy

## **Complaints Procedure**

If there are any complaints relating to the provision for students with SEN or disability; these can be dealt with in the first instance by the subject teacher and SENCO.

Our Complaints Policy can be found on:

[www.buckinghamshireutc.co.uk](http://www.buckinghamshireutc.co.uk)

## **Governing Board duties in relation to students with SEND**

- 1.** The Governing Board of Bucks UTC must comply with all of the duties imposed upon the governing bodies of maintained schools in:
  - Part 4 of the Education Act 1996 as amended from time to time
  - The Education (Special Educational Needs) (Information) Regulations 1999 as amended from time to time
  - The Education (Special Educational Needs Co-ordinators SENCO) (England) (Amendment) Regulations 2008 as amended from time to time.
  
- 2.** Notwithstanding any provision in this Agreement, the Secretary of State may (whether following a complaint made to him or otherwise) direct Bucks UTC to comply with an obligation described in this Policy where Bucks UTC has failed to comply with any such obligation.
  
- 3.** Where a child who has SEND is being educated at Bucks UTC, those concerned with making special educational provision for the child must secure that the child engages in the activities of the school together with children who do not have SEND; so far as is reasonably practicable and is compatible with:
  - (a)** the child receiving the special educational needs provision which their learning difficulty calls for
  - (b)** the provision of efficient education for the children with whom they will be educated
  - (c)** the efficient use of resources
  
- 4.** In addition to complying with the duties imposed upon the governing bodies of maintained schools set out in The Education (Special Educational Needs) (Information) Regulations 1999 (as amended from time to time); Bucks UTC must ensure that the UTC website includes details of the arrangements for the admission of disabled students; the steps taken to prevent disabled students from being treated less favourably than other students; and the facilities provided to assist access to Bucks UTC by disabled students (meaning students who are disabled in relation to the Equality Act 2010).
  
- 5.** Bucks UTC must ensure that students with SEND are admitted on an equal basis with others in accordance with its admissions policy.
  
- 6.** Where a local authority (“LA”) proposes to name Bucks UTC in an Educational Health Care Plan (EHC) of SEN made in accordance with section 324 of the Education Act 1996; it must give Bucks UTC written notice that it so proposes. Within 15 days of receipt of the LA’s notice that it proposes to name Bucks UTC in an EHC plan; Bucks UTC must consent to being named, except where admitting the child would be incompatible with the provision of efficient education for other children; and where no reasonable steps may be made to secure compatibility. In deciding whether a child’s inclusion would be incompatible with the efficient education of other children, Bucks UTC must have regard to the relevant guidance issued by the Secretary of State to maintained schools.
  
- 7.** If Bucks UTC determines that admitting the child would be incompatible with the provision of efficient education, it must, within 15 days of receipt of the LA’s notice, notify the LA in writing that it does not agree that Bucks UTC should be named in the student’s EHC. Such notice must set out all the facts and matters Bucks UTC relies upon in support of its contention that:
  - (a)** Admitting the child would be incompatible with efficiently educating other children; and
  - (b)** Bucks UTC cannot take reasonable steps to secure this compatibility.

**8.** After service by Bucks UTC on the LA of any notice (further to paragraph 7 above) stating that it does not agree with the LA's proposal that the college be named, Bucks UTC must seek to establish from the LA, as soon as is reasonably practicable, whether or not the LA agrees with Bucks UTC. If the LA notifies the Bucks UTC that it does not agree with Bucks UTC response, and names Bucks UTC in the child's EHC, Bucks UTC must admit the child to the school on the date specified in the EHC or on the date specified by the LA.

**9.** Where Bucks UTC considers that the Bucks UTC should not have been named in a child's EHC, they may ask the Secretary of State to determine that the LA has acted unreasonably in naming Bucks UTC and to make an order directing the LA to reconsider.

**10.** The Secretary of State's determination shall, subject only to any right of appeal which any parent or guardian of the child may have to the First-tier Tribunal (Special Educational Needs and Disability), be final.

**11.** If a parent or guardian of a child in respect of whom a EHC plan is maintained by the local authority appeals to the First-tier Tribunal (Special Educational Needs and Disability); either against the naming of Bucks UTC in the child's SEND EHC plan or asking the Tribunal to name Bucks UTC, then the decision of the Tribunal on any such appeal shall be binding and shall, if different from that of the Secretary of State under paragraph 9 above, be substituted for the Secretary of State's decision.

**12.** Where Bucks UTC, the Secretary of State or the First-tier Tribunal (Special Educational Needs and Disability) have determined that it should be named; Bucks UTC shall admit the child to Bucks UTC.

## APPENDIX 1 GUIDANCE FOR STAFF

### Identifying and teaching pupils with SEND

Every teacher is responsible for every pupil

Code: paragraph 6.36

Every teacher is responsible for the progress and development of every pupil in his/her class. This includes pupils who access extra support from teaching assistants or specialist staff.

The first step in supporting all pupils, including those with SEN, is high-quality teaching, differentiated for individual pupils.

Some pupils may need additional help to access the curriculum or make expected progress. These pupils may have SEN.

#### Not every pupil making slower progress has SEND

Some pupils may make slower progress for a reason unrelated to SEN, such as a gap in their learning.

You should regularly assess the progress of all pupils and work with the SENCO to identify whether a pupil has SEN.

You should ask whether the pupil's progress is:

Significantly slower than that of his/her peers starting from the same baseline

Failing to match or better the pupil's previous rate of progress

Failing to close the attainment gap between the pupil and his/her classmates

Widening the attainment gap

Code: paragraphs 6.84 – 6.94

#### The role of the SENCO

Your school's SENCO will support you in delivering SEND provision, but his/her role is largely a strategic one.

He/she is not responsible for teaching pupils with SEND, or for deciding on specific teaching strategies for pupils with SEND, though he/she will offer you advice on how to deliver these strategies.

#### Implementing support for pupils with SEND

##### Categories of need

Code: paragraphs 6.28 – 6.35

The needs of pupils with SEND falls into one or more of the following categories:

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

## SEND support

If a pupil has SEN, he/she will most likely receive 'SEN support'. SEN support is the current system for supporting pupils who have SEN but do not have an EHC plan. It replaces the previous categories of School Action and School Action+.

### The graduated approach

Code: paragraphs 6.44 – 6.56

SEND support is implemented and regularly reviewed using the 'graduated approach' (supported by BCC) as outlined below. You should be involved at every stage of this process:

1. **Assess:** the class/subject teacher and SENCO should clearly analyse a student's needs before identifying him/her as needing SEN support
2. **Plan:** the class/subject teacher and SENCO should agree the support to be put in place. Parents must also be notified and consulted. The support will usually be set out in a school-based SEN support plan
3. **Do:** the class/subject teacher remains responsible for working with the student on a daily basis. Pupils may also receive additional interventions outside the main curriculum, but the focus should be on integrating all students and continuing to use high-quality, differentiated teaching.
4. **Review:** the class/subject teacher and SENCO should review the effectiveness of the support regularly and agree any changes where needed.

You should also involve parents in this process and meet to review their child's progress at least three times per year.

### Education, Health & Care needs assessments & plans

Code: chapter 9

Most pupils with SEN or disabilities will have their needs met through SEN support. Pupils with more complex needs may need additional provision, which is set out in an EHC plan.

An EHC needs assessment can be requested by the school or parents and will be carried out by the local authority.

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