

Memorandum for Education Committee

SUBJECT

SEND Code of Practice Policy Management Framework

Memorandum by Miss Vyona Young - Education support Officer

ADVICE SOUGHT

- 1. Members are asked for their approval of the recommended overview of the Code of Practice process.**

BACKGROUND & CONSIDERATIONS

1. Background to UK SEND Code of Practice 2015 0-25 years.

The Special Educational Needs and Disability (SEND) Code of Practice 2015 is a statutory guidance and relates to Part 3 of the UK's Children and Families Act 2014. Whenever decisions are taken relating to children with SEN, consideration must be given to what the Code says. It is a statutory guidance for organisations who work with and support children and young people with SEN and their parents.

The Children and Families Act and the SEND Code of Practice were in force from 1 September 2014, replacing the 2001 Code of Practice.

Key points regarding the SEND Code of Practice 2015

- The SEND Code of Practice covers the 0 to 25 age range.
- Education, health and care (EHC) plans replace statements and learning difficulty assessments.
- Emphasis is placed on the views, wishes and feelings of the child or young person and their parents.
- The child or young person and their parents are expected to participate as fully as possible in decisions.
- A high level of collaboration between education, health and social care services is expected.
- The Local Offer requires local authorities to outline information about the SEN provision available within their area
- There is a focus on the quality of teaching and teachers are expected to teach children and young people with a diverse range of needs.
- SEN support will be made available where interventions are needed that are additional or different from those normally provided.
- Parents wishing to appeal must make contact with an independent mediator first.
- Education Settings must use their best endeavours to

- ensure that a child with SEN gets the support they need
- ensure that children with SEN take part in the activities of the school together with children who do not have SEN
- designate a teacher to be responsible for co-ordinating provision for children with SEN
- inform parents when SEN provision is being made
- prepare a SEN information report, their arrangements for the admission of disabled children and accessibility plans.

3. The graduated approach:

- Teachers are responsible for the progress and development of the pupils in their class.
- Stage one is the provision of high-quality teaching. SEN should not be regarded as sufficient explanation for low achievement.
- Where pupils continue to make inadequate progress despite high-quality teaching, the class teacher and SENCO should assess whether the child has a significant learning difficulty and needs SEN support.
- Where a decision is made to provide SEN support, parents must be notified and a plan drawn up that includes the interventions and support to be put in place. The class teacher will remain responsible for working with the child on a daily basis.
- There should be regular reviews to monitor the effectiveness of the support and the impact on the child's progress and make decisions about whether any changes are needed.
- If a child makes little or no progress the school should consider involving specialists, including those from outside agencies. They should always involve a specialist where a child continues to make little or no progress over a sustained period or where they continue to work at levels substantially below those expected of children of a similar age despite the implementation of SEN support.
- If progress continues to be insufficient a request can be made for an EHC needs assessment – the local authority makes a decision whether to go ahead or not.
- A statutory assessment of EHC needs is completed by the local authority – during the process the local authority must provide parents and children with impartial advice and support.
- An EHC plan should be prepared and a draft plan sent to the child's parents with at least 15 days allowed for them to present their views.
- The final plan should be signed and dated by the local

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authority officer responsible and must be issued to the governing body or principal.

□ Formal reviews of the EHC plan must take place at least annually. Implementation of SEND Code of Practice: 0 to 25 years

4. Background to SEND CoP on island.

Attempts were made in 2010- 2012 to formulate a SEN Code of Practice for the Education Directorate. The work carried out during these years were aligned with the UK's 2001 SEN CoP.

In 2015, on my return to work following a three year career break, it was evident that, given the recent changes to UK legislation and the updated 2015 SEND Code of Practice it was imperative for Inclusion Services to spearhead formulating a Code of Practice for the island.

Given that we closely align our principles with those of the UK and the recent positive surge in cross agency work happening on island, it was important to ensure we have a set of agreed statutory principles (reflecting those of the UK) which explains how everyone working within the Education Directorate and associated agencies will work towards a common framework for the benefit of children with SEND. In 2016, I consulted with the then Director, Mrs Shirley Whaler on manging this process and with her permission began work on formulating a plan to write the SEND CoP for the island. Dr Claire Cox joined the Directorate in January 2017, as a resident psychologist for two years, and so began a collaboration between Claire and I on how best to proceed with formulating an SEND CoP for the island. A local SEND CoP will have to fit within the context of the island, reflecting local culture, practices and resources. The process would have to be done sensitively and whilst using a UK model would have to be attuned to best fit our local perspective. With this in mind, Claire and I hosted an SEND Development day in May 2018 in which we brought together a wide ranging group of stakeholders to help inform on the way forward with creating a SEND CoP.

Following this, in June 2018, I began a serious draft of the entire CoP using the UK's 2015 SEND CoP as a broad guide as well as the feedback gained from the SEND Development Day.

Since then I have worked with Dr Claire Cox to continue drafting the document. It was always my intention to complete this work, but since our initial work in 2017/18, work commitments over the over the past year, meant the process slowed considerably.

In May this year, having stepped back from the role of Inclusion Manager and given a new role as Education Support Officer with a specific focus on policy development, I was able to pick up the work again and am now working with the aid of our new resident

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Educational Psychologist Mrs Maggie Banks on preparing a fully comprehensive draft for consultation.

See attached document for additional supporting information.

**FINANCIAL
IMPLICATIONS**

5. The financial implications associated with this project have not been quantified. It is anticipated that when this document is implemented there will be resource needs both human and material.

**ECONOMIC
IMPLICATIONS**

6. It is anticipated that the Code of Practice will ensure consistency of application across the Directorate and support the raising of attainment in schools leading to a more qualified and competent workforce which will therefore contribute to the island's economic development.

**CONSISTENCY
WITH
INVESTMENT
POLICY
PRINCIPLES**

7. n/a

**PUBLIC / SOCIAL
IMPACT**

8. It is anticipated that this document will have a positive impact on the community.

**ENVIRONMENTAL
IMPACT**

9. n/a

**PREVIOUS
CONSULTATION /
COMMITTEE
INPUT**

10. This policy follows the endorsement of the SEND Policy in June 2018.

**PUBLIC
REACTION**

11. There was no adverse reaction to the work prior to and after the endorsement of this policy.

PUBLICITY

12. This document will involve and be shared with key stakeholders as and when required. Updates will be made public via reports to Education Committee.

**SUPPORT TO
STRATEGIC
OBJECTIVES**

13. This paper supports the National Goal 2. ALTOGETHER BETTER FOR CHILDREN AND YOUNG PEOPLE and Policy Priorities:

2.1.1 Enhance educational attainment and learning outcomes for all and

2.2.1 Address on-island skills gaps by attracting and retaining working age population, and improving adult literacy and numeracy levels, through relevant training and development programme.

**LINK TO
SUSTAINABLE
ECONOMIC
DEVELOPMENT
PLAN GOALS**

14. This paper is linked to the following SEDP Goal:

6. Developing, Maintaining and Attracting a Skilled Workforce

**OPEN /CLOSED
AGENDA ITEM**

OPEN

DATE OF MEMO

15 July 2020

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