

## **DUDLEY ACADEMIESTRUST**

### Secondary Special Educational Needs and Disability (SEND) Policy

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## Statement of Intent

Our academy believes that all learners are entitled to an education that enables them to achieve their best, become confident individuals living fulfilling lives, and make a successful transition into adulthood.

This policy outlines the framework the academy will use in meeting its duties, obligations and principal equality values in providing an appropriate high-quality education for learners with SEND.

Through successful implementation of this policy, the academy aims to eliminate discrimination and promote equal opportunities.

The academy will work with the Local Authority (LA), or equivalent, in ensuring that the following principles underpin this policy:

- The involvement of learners and their parents/carers in decision-making.
- The early identification of learners' needs and early intervention to support them.
- A focus on inclusive practice and removing barriers to learning.
- Collaboration between education, health and social care services to provide support.
- High-quality provision to meet the needs of learners with SEND.
- Greater choice and control for learners and their parents/carers over their support.
- Successful preparation for adulthood, including independent living and employment.

Under the [Equality Act 2010](#), a disability is a physical or mental impairment which has a long-term and substantial adverse effect on a person's ability to carry out normal day-to-day activities. For the purposes of this policy, a learner is defined as having SEND if they have:

- A significantly greater difficulty in learning than most others of the same age.
- A disability or health condition that prevents or hinders them from making use of educational facilities used by peers of the same age in mainstream settings.
- Special educational provision that is additional to or different from that made generally for other children or young people of the same age by mainstream settings.

## Scope

This SEND Policy applies to all Dudley Academies Trust schools, covering both primary and secondary phases. Where statutory requirements relate specifically to the Early Years Foundation Stage (EYFS), these are clearly indicated and apply only to Early Years and primary settings. All other provisions in this policy are applicable across all phases.

## Legal Framework

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- [Local Government Act 1974](#)
- [Disabled Persons \(Services, Consultation and Representation\) Act 1986](#)
- [Children Act 1989](#)
- [Education Act 1996](#)
- [Education Act 2002](#)
- [Mental Capacity Act 2005](#)
- [Equality Act 2010](#)
- [The Equality Act 2010 \(Disability\) Regulations 2010](#)
- [Children and Families Act 2014](#)
- [The Special Educational Needs \(Personal Budgets\) Regulations 2014](#)
- [The Special Educational Needs and Disability \(Amendment\) Regulations 2015](#)
- [The Special Educational Needs and Disability \(Detained Persons\) Regulations 2015](#)
- [The UK General Data Protection Regulation \(GDPR\)](#)
- [Data Protection Act 2018](#)
- [Health and Care Act 2022](#)
- [DfE 'Special educational needs and disability code of practice: 0 to 25 years'](#)
- [DfE 'Supporting learners at academy with medical conditions'](#)
- [DfE 'Working Together to Safeguard Children 2023'](#)
- [DfE 'Mental health and wellbeing provision in schools'](#)
- [DfE 'Academy Admissions Code'](#)
- [DfE 'Keeping children safe in education'](#)
- [Equality and Human Rights Commission \(EHRC\) 'Reasonable adjustments for disabled learners'](#)

This policy operates in conjunction with the following academy policies:

- Admissions Policy
- Equality, Equity, Diversity and Inclusion Policy
- Data Protection Policy
- Records Management Policy
- Social, Emotional and Mental Health (SEMH) Policy
- Supporting Learners with Medical Needs Policy
- Child Protection and Safeguarding Policy
- Careers Policy
- Suspension and Exclusion Policy

- Behaviour Policy
- Complaints Procedures Policy
- Accessibility Policy

## Objectives

Every academy is required to identify and address the SEND of the learners that they support. Through the implementation of this policy, the academy will:

- Use their best endeavours to make sure that learners with SEND get the support they need to access the academy's broad and balanced curriculum.
- Ensure that learners with SEND engage in the activities of the academy alongside learners who do not have SEND.
- Ensure there is high-quality provision to meet the needs of learners with SEND, with specific focus on inclusive practice and removing barriers to learning.
- Fulfil its statutory duties towards learners with SEND in light of the SEND code of practice.
- Promote disability equality and equality of opportunity, fulfilling its duties under the Equality Act 2010 towards individual disabled learners.
- Make reasonable adjustments, including the provision of auxiliary aids and services, to ensure that disabled learners are not at a substantial disadvantage compared with their peers.
- Designate a teacher to be responsible for coordinating SEND provision, i.e. the Special Educational Needs Coordinator (SENCO).
- Inform parents/carers when they are making special educational provision for their child.
- Review, prepare and publish important information about the academy and its implementation of relevant SEND policies, including:
  - Accessibility plans setting out how they plan to increase access to the curriculum and the physical environment for learners with SEND.
  - Information about the admission arrangements for learners with SEND and the steps taken to prevent them being treated less favourably than others.
  - A SEN information report about the implementation of the academy's policy for learners with SEND.

## Roles and Responsibilities

The governing board will be responsible for:

- Ensuring this policy is implemented fairly and consistently across the academy.
- Ensuring the academy meets its duties in relation to supporting learners with SEND.
- Ensuring that there is a qualified teacher designated as SENCO for the academy.

The principal is responsible for ensuring the academy offers a broad and balanced curriculum, with high quality teaching and a positive and enriching educational experience of for all learners, including learners with SEND.

In enacting this policy, the principal will:

- Ensure the academy holds ambitious expectations for all learners with SEND.
- Establish and sustain culture and practices that enable learners with SEND to access the curriculum and learn effectively.
- Ensure the academy works effectively in partnership with parents/carers and professionals, to identify the additional needs and SEND of learners, providing support and adaptation where appropriate.
- Ensure the academy fulfils its statutory duties with regard to the SEND code of practice.
- Work with the governing board to ensure that there is a qualified teacher designated as SENCO for the academy.
- Ensure the SENCO has sufficient time and resources to carry out their functions.
- Provide the SENCO with sufficient administrative support and time away from teaching to enable them to fulfil their responsibilities.
- Regularly and carefully reviewing the quality of teaching for learners at risk of underachievement, as a core part of the academy's performance management arrangements.
- Ensure that procedures and policies for the day-to-day running of the academy do not directly or indirectly discriminate against learners with SEND.

The SENCO will be responsible for:

- Collaborating with the governing board and principal, as part of the SLT, to determine the strategic development of the SEND policy and provision in the academy.
- The day-to-day responsibility for the operation of SEND policy.
- The coordination of specific provision made to support individual learners with SEND.
- Liaising with the relevant designated teacher for Looked After Children (LAC) with SEND.
- Advising on a graduated approach to providing SEND support.
- Advising on the deployment of the academy's delegated budget and other resources to meet learners' needs effectively.
- Liaising with the parents/carers of learners with SEND.
- Liaising with early years providers, other academies, educational psychologists, health and social care professionals, and independent or voluntary bodies, as required.
- Being a key point of contact for external agencies, especially the LA and LA support services.
- Liaising with the potential future providers of education to ensure that learners and their parents/carers are informed about the options, and a smooth transition is planned.
- Working with the relevant governors and the principal to ensure that the academy meets its responsibilities under the Equality Act 2010, regarding reasonable adjustments and access arrangements.
- Ensuring that the academy keeps the records of all learners with SEND up to date, in line with the academy's Data Protection Policy.

- Providing professional guidance to colleagues, and working closely with staff, parents/carers and other agencies.
- Being familiar with the provision in the Local Offer and being able to work with professionals who are providing a supporting role to the family.

Teachers will be responsible for:

- Ensuring they follow this SEND policy.
- Planning and reviewing support for learners with SEND on a graduated basis, in collaboration with parents/carers, the SENCO and, where appropriate, the learners themselves.
- Setting high expectations for every learner and aiming to teach them the full curriculum, whatever their prior attainment.
- Planning lessons to address potential areas of difficulty to ensure that there are no barriers to every learner achieving.
- Ensuring every learner with SEND is able to study the full national curriculum.
- Being accountable for the progress and development of the learners in their class.
- Being aware of the needs, outcomes sought, and support provided to any learners with SEND they are working with.
- Understanding and implementing strategies to identify and support vulnerable learners with the support of the SENCO.
- 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
- Keeping the relevant figures of authority up to date with any changes in behaviour, academic developments and causes of concern. The relevant figures of authority include the principal.

## Identifying SEND

The academy recognises that early identification and effective provision improve long-term outcomes for learners. As part of the overall approach to monitoring the progress and development of all learners, it has a clear approach to identifying and responding to SEND as outlined in the academy's SEN Information Report.

With the support of the SLT, classroom teachers will conduct regular progress assessments for all learners, with the aim of identifying learners who are making less than expected progress given their age and individual circumstances.

'Less than expected progress' will be characterised by progress which:

- Is significantly slower than that of their peers starting from the same baseline.
- Does not match or better the learner's previous rate of progress.
- Fails to close the attainment gap between them and their peers.
- Widens the attainment gap.

The academy plans, manages and reviews SEND provision across the following four broad areas of need:

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

The academy will use a range of indicators to identify a learner's difficulty and plan provision, including before the child arrives at the academy:

- Whenever possible, a member of the SEND team will attend Year 5 and/or Year 6 Annual Review Meetings for learners with EHC Plans
- Admissions information including routine reading and spelling assessments, KS2 test scores (where used) and Year 6 annual reviews are used to inform provision
- The SENCO will attend the academy's Year 6 Open Evenings

Identification of learners with SEND will be continuous through children's time at the academy. Staff will be expected to remain alert to events that can lead to learning difficulties, such as bereavement or bullying.

The academy will maintain a list of learners who have been recognised as having SEND. The records will be held centrally and kept securely. In some circumstances the records may be shared with external agencies, for example, for safeguarding issues or on transition to another academy.

## Safeguarding

The academy recognises that evidence shows learners with SEND are at a greater risk of abuse and maltreatment, so will ensure that staff are aware that learners with SEND:

- Have the potential to be disproportionately impacted by behaviours such as bullying.
- May face additional risks online, e.g. from online bullying, grooming and radicalisation.
- Are at greater risk of abuse, including child-on-child abuse, neglect, and sexual violence and harassment.

The academy recognises that there are additional barriers to recognising abuse and neglect in this group of learners. These barriers can include, but are not limited to:

- Assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the learner's condition without further exploration.
- These learners being more prone to peer group isolation or bullying (including prejudice-based bullying) than other learners.
- The potential for learners with SEND or certain medical conditions being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs.
- Communication barriers and difficulties in managing or reporting these challenges.
- A different cognitive understanding and being unable to understand the difference between fact or fiction in online content.

The principal and governing board will ensure that the academy's Child Protection and Safeguarding Policy reflect the fact that these additional barriers can exist when identifying abuse. When using physical intervention and reasonable force in response to risks presented

by incidents involving learners with SEND, staff will have due regard for the procedures outlined in the academy's Physical Intervention Policy.

Care will be taken by all staff, particularly those who work closely with learners with SEND, to notice any changes behaviour or mood, or any injuries, and these indicators will be investigated by the DSL in collaboration with the SENCO.

Academy staff will be particularly alert to the potential need for early help for learners with SEND and additional needs.

The governing board and principal will ensure that learners with SEND are taught about how to keep themselves and others safe including online. The academy will ensure that teaching of safeguarding is tailored to the specific needs and vulnerabilities of learners with SEND.

Any reports of abuse involving learners with SEND will involve close liaison between the Designated Safeguarding Lead (DSL) and the SENCO.

## **SEND Support**

The academy is aware of its statutory duty to provide a broad and balanced curriculum and recognise that high quality teaching, which is differentiated for individual learners, is the first step in responding to learners who have or may have SEND.

Teachers at the academy will:

- Set high expectations for every learner.
- Plan stretching work for learners whose attainment is significantly above the expected standard.
- Plan lessons for learners who have low levels of prior attainment or come from disadvantaged backgrounds.
- Use appropriate assessment to set targets which are deliberately ambitious.
- Plan lessons to ensure that there are no barriers to every learner achieving.
- Be responsible and accountable for the progress and development of the learners in their class, including where learners access support from teaching assistants or specialist staff.

Decisions on whether to make special educational provision for learners will be based upon:

- Discussions between the teacher and SENCO.
- Analysis of the learner's progress, using internal formative and summative assessments, alongside national data and expectations of progress.
- Discussion with the learner and their parent/carer.

Once a learner has been identified with SEND, the academy will employ a graduated approach to meeting the learner's needs. This will be through the adoption of a four-part cycle, assess, plan, do, review, whereby earlier decisions and actions are revisited, refined and revised with a growing understanding of the learner's needs and of what supports the learner in making good progress and securing good outcomes. The process is as follows:

- **Assess:** establishing a clear assessment of the learner's needs.

- **Plan:** agreeing the adjustments, interventions and support to be put in place, as well as the expected impact on progress, development or behaviour, along with a clear date for review.
- **Do:** implementing the agreed interventions and support.
- **Review:** analysing the effectiveness of the interventions and their impact on the learner's progress in line with the agreed review date.

A referral for assessment can be made by a member of staff or parent/carer, or a learner may self-refer. The views and targets of the parent and the learner will be sought.

The implementation stage will last the duration of a term, and more commonly two terms. Specialist staff and teaching assistants will work closely with classroom teachers to link interventions and classroom teaching.

The academy will uphold the review date. If the learner has achieved the outcomes and the intervention has been successful, the learner's name will be moved from the SEND register to the monitoring list.

Where the learner has not achieved the outcomes, the results of the intervention will feed back into the analysis of the learner's needs and changes to the intervention, or the outcomes will be discussed. The learner 'assess, plan, do and review' cycle may continue. This will build a history and a better understanding of the learner's difficulties.

Where higher levels of need are identified, the academy will access specialised assessments from external agencies and professionals.

Where, despite the academy having taken relevant and purposeful action to identify, assess and meet the SEN of a learner, they have not made expected progress, the academy, in consultation with parents/carers, will consider requesting an Education, Health and Care needs assessment.

The academy will consider whether additional pastoral support and attention for learners with SEND is required, alongside ensuring that any appropriate support for communication is in place.

### **English as an Additional Language (EAL)**

The academy is aware that there may be learners at the academy for whom English is not their first language and appreciates that having EAL is not equated to having learning difficulties. At the same time, when learners with EAL make slow progress, it will not be assumed that their language status is the only reason; they may have SEND.

The academy will consider the learner within the context of their home, culture and community and look carefully at all aspects of a learner's performance in different subjects to establish whether the problems they have in the classroom are due to limitations in their command of English or arise from SEND.

## Early Years Learners with SEND

All early years providers are required to have arrangements in place to identify and support children with SEND and to promote equality of opportunity for children in their care. These requirements are set out in the EYFS framework.

The academy will ensure all staff who work with young children are alert to emerging difficulties and respond early.

The academy will:

- Ensure that staff listen and understand when parents express concerns about their child's development, as well as listening to any concerns raised by children themselves.
- Monitor and review the progress and development of all children throughout the early years.
- Use its best endeavours to make sure that a child with SEND gets the support they need.
- Ensure that children with SEND engage in the activities of academy alongside children who do not have SEND.
- Designate a teacher to be the SENCO.
- Provide information for parents/carers on how it supports children with SEND.
- Prepare a report on the:
  - Implementation of SEND policy and procedures.
  - Arrangements for the admission of children with SEND.
  - Steps being taken to prevent children with SEND from being treated less favourably than others.
  - Facilities provided to enable access to the academy for children with SEND.
  - Accessibility plan showing how it plans to improve access over time.
- Inform parents/carers when the academy makes special educational provision for their child.
- Follow a graduated approach to assessing, planning, implementing, and reviewing provision and progress, the 'assess, plan, do, review' cycle.

### Admissions

The academy will ensure it meets its duties set under the DfE's 'Schools Admissions Code' by:

- Not refusing admission for a child thought to be potentially disruptive, or likely to exhibit challenging behaviour, on the grounds that the child is first to be assessed for SEND.
- Not refusing admission for a child that has named the academy in their EHC plan.
- Considering applications from parents/carers of children who have SEND but do not have an EHC plan.
- Not refusing admission for a child who has SEND but does not have an EHC plan because the academy does not feel able to cater for those needs.
- Not refusing admission for a child who does not have an EHC plan.
- Not discriminating against or disadvantaging applicants with SEND.

- Ensuring policies relating to academy uniform and trips do not discourage parents/carers of learners with SEND from applying for a place.
- Adopting fair practices and arrangements in accordance with the 'Schools Admissions Code' for the admission of children without an EHC plan.
- Ensuring the academy's oversubscription arrangements will not disadvantage children with SEND.
- Ensuring that tests for selection are accessible to children with SEND, with reasonable adjustments made where necessary.

Arrangements for the fair admissions of learners with SEND are outlined in the Admissions Policy and will be published on the academy website.

The academy may challenge a decision to name the academy in an EHC plan if the academy considers that such a placement would be unsuitable based on the child's age, ability, aptitude or SEND; or it would be incompatible with the efficient education of other children or the efficient use of resources. The academy will consider whether any reasonable adjustments can be made to provide a placement.

## **Examination Access Arrangements**

An examination access arrangement granted in Year 6 will not automatically carry over into Year 7. In KS3, access arrangements may be considered where a need is identified by teachers and/or parents/carers and communicated to the SENCO, provided the relevant examination board criteria are met.

In KS4, learners with SEND will be formally assessed to determine eligibility for access arrangements in external examinations.

A learner requiring an access arrangement will not necessarily be placed on the SEND register, nor will they automatically require a targeted support plan.

## **Transition**

The academy is aware of the importance of planning and preparing for the transitions between phases of education and preparation for adult life.

Where learners have EHC plans, these will be reviewed and amended in sufficient time prior to a learner moving between key phases of education, to allow for planning for and, where necessary, commissioning of support and provision at the new setting.

## **Involving Learners and Parents/Carers in Decision-Making**

The academy is committed to working in partnership with all parents/carers in the best interests of their child and will provide an annual report for all parents on their child's progress.

Where a learner is receiving SEND support, the academy will regularly liaise with parents/carers in setting outcomes and reviewing progress. The class teacher, supported by the SENCO, will meet with the parents/carers three times each year.

The planning that the academy implements will help parents/carers and learners with SEND express their needs, wishes and goals, and will:

- Focus on the learner as an individual, not allowing their SEND to become a label.
- Be easy for learners and their parents/carers to understand by using clear, ordinary language and images, rather than professional jargon.
- Highlight the learner's strengths and capabilities.
- Enable the learner, and those who know them best, to say what they have done, what they are interested in and what outcomes they are seeking in the future.
- Tailor support to the needs of the individual.
- Organise assessments to minimise demands on parents/carers.
- Bring together relevant professionals to discuss and agree together the overall approach.

Where the LA provides a learner with an EHC plan, the academy will involve the parents/carers and the learner in discussions surrounding how the academy can best implement the plan's provisions to help the learner thrive in their education and will discern the expected impact of the provision on the learner's progress.

Where necessary, the academy will facilitate support from an advocate to ensure the parent's/carer's views are heard and acknowledged.

## **Funding For SEND Support**

Where additional learner needs are identified the academy will use its delegated funding allowance to provide early intervention support for the benefit of learners identified with SEND.

Where learners with SEND have been receiving early intervention support but are still not making sufficient progress, the academy will consider accessing high needs top-up funding from the LA to provide additional specialist support.

## **EHC Needs Assessments and Plans**

The academy recognises that, despite having taken relevant and purposeful action to identify, assess and meet the SEND of a learner, some learners may not make expected levels of progress. In these cases, the academy will consult with parents and consider requesting an EHC needs assessment.

The purpose of an EHC plan is to make special educational provision to meet the SEND of the learner, to secure the best possible outcomes for them across education, health and social care and prepare them for adulthood.

As part of the EHC needs assessment, the academy will meet its duty by:

- Responding to any request for information as part of the EHC needs assessment process within six weeks from the date of the request, unless special exemptions apply as outlined in the SEND code of practice.
- Providing the LA with any academy-specific information and evidence about the learner's profile and educational progress.
- Gathering any advice received from relevant professionals regarding their education, health and care needs, desired outcomes, and any special education, health and care

provision that may be required to meet their identified needs and achieve desired outcomes.

If, following the assessment, the LA decides not to issue an EHC plan, the academy will be provided with written feedback collected during the EHC needs. It will use this information to contribute to the graduated approach and inform how the outcomes sought for the learner can be achieved through further special educational provision made by the academy and its partners.

Where the LA decides to issue an EHC plan, it must consult the prospective academy by sending a copy of the draft plan and consider their comments before deciding whether to name it in the learner's EHC plan. The academy will meet its duty to provide views on a draft EHC plan within 15 days.

The academy will admit any learner that names the academy in an EHC plan and will ensure that all those teaching or working with a learner named in an EHC plan are aware of the learner's needs and that arrangements are in place to meet them.

## **Reviewing EHC Plans**

The academy will ensure that teachers monitor and review the learner's progress during the year and conduct a formal review of the EHC plan at least annually.

The academy will:

- Cooperate with the LA and relevant individuals to ensure an annual review meeting takes place, including convening the meeting on behalf of the LA if requested.
- Ensure that the appropriate people are given at least two weeks' notice of the date of the meeting, such as representatives from the LA SEN, social care and health services.
- Seek advice and information about the learner prior to the annual review meeting from all parties invited, and send any information gathered to all those invited, at least two weeks in advance of the meeting.
- Ensure that sufficient arrangements are put in place at the academy to host the annual review meeting.
- Contribute any relevant information and recommendations about the EHC plan to the LA, keeping parents/carers involved at all times.
- Lead the review of the EHC plan to create the greatest confidence amongst learners and their parents/carers.
- Prepare and send a report of the meeting to everyone invited within two weeks of the meeting, setting out any recommendations and amendments to the EHC plan.
- Clarify to the parents/carers and learner that they have the right to appeal the decisions made regarding the EHC plan.
- Where possible for LAC, combine the annual review with one of the reviews in their care plan, in particular the personal education plan (PEP) element.
- Where necessary, provide support from an advocate to ensure the learner's views are heard and acknowledged.
- Where necessary, facilitate support from an advocate to ensure the parent's/carer's views are heard and acknowledged.

- Review each learner’s EHC plan to ensure that it includes the statutory sections outlined in the ‘Special educational needs and disability code of practice: 0 to 25 years’, labelled separately from one another.

If a learner’s needs significantly change, the academy will request a re-assessment of an EHC plan at least six months after an initial assessment. Thereafter, the governing board or principal will request the LA to conduct a re-assessment of a learner whenever they feel it is necessary.

## **Supporting Successful Preparation for Adulthood**

The academy is aware that being supported towards greater independence and employability can be life-transforming for learners with SEND. It recognises the importance of starting early, centring on learner aspirations, interests and needs, and will ensure that learners are supported at developmentally appropriate levels to make a smooth transition to what they will be doing next, e.g. moving on to higher education.

The academy will:

- Seek to understand the interests, strengths and motivations of learners and use this as a basis for planning support around them.
- Support learners so that they are included in social groups and develop friendships.
- Ensure that learners with SEND engage in the activities of the academy together with those who do not have SEND and are encouraged to participate fully in the life of the academy and in any wider community activity.
- Engage with secondary academies, as necessary, to help plan for any transitions.

The academy will:

- Ensure that the EHC plan review includes a focus on preparing for adulthood, with additional focus on transition and preparing for adulthood from Year 9 onwards.
- Build transition planning into the revised EHC plan to identify appropriate post-16 pathways for higher education and employment, and support preparation for independent living, maintaining good health in adult life and participating in society.
- Seek partnerships with employment services, businesses, housing agencies, disability organisations, and arts and sports groups, to help children understand what is available to them as they get older, and what it is possible for them to achieve.
- Engage with FE providers as necessary to help plan for any transitions.
- Ensure learners from Year 8 until Year 13 are provided with independent careers guidance.

The academy’s Careers Policy details how the academy will fulfil its statutory duties under section 42 of the Education Act 1997 and work with learners with SEND to ensure they are prepared for the workplace.

## **Managing Complaints**

The academy will publish the Complaints Procedure Policy on the academy website.

Following a parent's/carer's serious complaint or disagreement about the SEND provision being made for their child, the academy will contact the LA immediately to seek disagreement resolution advice, regardless of whether an EHC plan is in place.

The academy is aware of the formal and informal arrangements for resolving disagreements at a local level and will work with the LA in responding to requests for information as part of procedures for:

- Disagreement resolution.
- Mediation.
- Appeals to the SEND Tribunal.

Parents/carers will be made aware that Ofsted can consider complaints relating to whole school SEND early years provision if the problem has not been resolved informally.

The academy will meet any request to attend a SEND tribunal and explain any departure from its duties and obligations under the 'Special educational needs and disability code of practice: 0 to 25 years'.

## **Staff Training and Improving Practice**

The academy is committed to the learning and development of all its staff members and training opportunities will be provided and delivered in line with the academy's CPD and Training Policy.

The academy SENCO will assess staff competencies and ensure that CPD provision allows staff to develop their awareness, skills, and practices in identifying, educating, and assessing learners with SEND.

## **Use Of Data and Record Keeping**

All information about learners will be kept in accordance with the academy's Records Management Policy and Data Protection Policy.

The academy's records will:

- Record details of additional or different provision made under SEND support, with accurate information to evidence the SEND support that has been provided over the learner's time in the academy, as well as its impact, e.g. using provision maps.
- Include details of SEND, outcomes, action, agreed support, teaching strategies and the involvement of specialists, as part of its standard management information system to monitor the progress, behaviour and development of all learners.
- Maintain an accurate and up-to-date register of the provision made for learners with SEND.
- Be kept securely so that unauthorised persons do not have access to it, so far as reasonably practicable.

The academy keeps data on the levels and types of need within the academy and makes this available to the LA and Ofsted.

## **Confidentiality**

The academy will not disclose any EHC plan without the consent of the learner's parents/carers, except for specified purposes or in the interests of the learner, such as disclosure:

- To a SEND tribunal when parents appeal, and to the Secretary of State under the Education Act 1996.
- On the order of any court for any criminal proceedings.
- For the purposes of investigations of maladministration under the Local Government Act 1974.
- To enable any authority to perform duties arising from the Disabled Persons (Services, Consultation and Representation) Act 1986, or from the Children Act 1989 relating to safeguarding and promoting the welfare of children.
- To Ofsted inspection teams as part of their inspections of academies and LAs.
- To any person in connection with the learner's application for students with disabilities allowance in advance of taking up a place in HE.
- To the principal (or equivalent position) of the setting at which the learner is intending to start their next phase of education.

The academy will always adhere to the Data Protection Policy and Information Security Policy.

## **Publishing Information**

The academy will publish information on the academy website about the implementation of this policy.

The information published will be updated annually and any changes to the information occurring during the year will be updated as soon as possible.

The SEN Information Report will be published on the academy website. It will include all the information outlined in paragraphs 6.79 and 6.83 of the 'Special educational needs and disabilities code of practice: 0 to 25 years'.

## **Joint Commissioning, Planning and Delivery**

The academy will work closely with local education, health and social care services to ensure learners get the right support.

The academy will assist the LA in carrying out their statutory duties under the Children and Families Act 2014, by ensuring that services work together where this promotes children and young people's wellbeing or improves the quality of special educational provision (Section 25 of the Children and Families Act 2014).

The academy will draw on the wide range of local data sets about the likely educational needs of learners with SEND to forecast future needs, including:

- Population and demographic data.
- Prevalence data for different kinds of SEND among children at the national level.
- Numbers of local children with EHC plans and their main needs.

- The numbers and types of settings locally that work with or educate learners with SEND.
- An analysis of local challenges or sources of health inequalities.

The academy will plan, deliver and monitor services against how well outcomes have been met, including, but not limited to:

- Improved educational progress and outcomes for learners with SEND.
- Increasing the identification of learners with SEND prior to academy entry.

Where learners with SEND also have a medical condition, their provision will be planned and delivered in coordination with the EHC plan.

SEND support will be adapted and/or replaced depending on its effectiveness in achieving the agreed outcomes.

## **Local Offer**

The academy's governing board will collaborate with and support the LA in developing and reviewing the Local Offer, where necessary and appropriate, to ensure that it is:

- Collaborative: Where appropriate, the academy will work with LAs, parents/carers and learners in developing and reviewing the Local Offer. The academy will also cooperate with those providing services.
- Accessible: The academy will collaborate with the LA during development and review to ensure that the LA's Local Offer is easy to understand, factual and jargon-free; is structured in a way that relates to learners' and parents'/carers' needs, e.g. by broad age group or type of special educational provision; and is well-signposted and -publicised.
- Comprehensive: The academy will help to ensure that parents/carers and learners understand what support can be expected to be available across education, health and social care from age 0 to 25 and how to access it. The academy will assist the LA in ensuring that the Local Offer includes eligibility criteria for services, where relevant, and makes it clear where to go for information, advice and support, as well as how to make complaints about provision or appeal against decisions.
- Up to date: The academy will work with the LA to review the Local Offer to ensure that, when parents/carers and learners access the Local Offer, the information is up to date.

The academy will provide the LA with information about their existing SEND provision and capabilities to support learners with SEND to aid in the drafting of the Local Offer, where required.

## **Monitoring and Review**

The policy is reviewed on an annual basis and any changes made to this policy will be communicated to all members of staff, parents/carers of learners with SEND, and relevant stakeholders.