



Norfolk House School

# **Policy on Special Educational Needs and Learning Difficulties**

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## **1. Aims**

- 1.1. This is the policy on special educational needs and learning difficulties of Norfolk House School (**School**).
- 1.2. The aims of this policy are as follows:
  - 1.2.1. to promote good practice in the detection and management of special educational needs (**SEN**);
  - 1.2.2. to explain the support the School can provide for children who have learning difficulties and the co-operation needed from parents;
  - 1.2.3. to actively promote the wellbeing of pupils;
  - 1.2.4. to create a culture of safety, equality and protection.

## **2. Scope and application**

- 2.1. This policy applies to the whole School including the Early Years Foundation Stage (**EYFS**).]

## **3. Regulatory framework**

- 3.1. This policy has been prepared to meet the School's responsibilities under:
  - 3.1.1. Education (Independent School Standards) Regulations 2014;
  - 3.1.2. *Statutory framework for the Early Years Foundation Stage* (DfE, Sept 2021);
  - 3.1.3. Education and Skills Act 2008;
  - 3.1.4. Children Act 1989;
  - 3.1.5. Childcare Act 2006;
  - 3.1.6. Data Protection Act 2018 and General Data Protection Regulation (**GDPR**);
  - 3.1.7. Equality Act 2010; and
  - 3.1.8. Children and Families Act 2014.
- 3.2. This policy has regard to the following guidance and advice:
  - 3.2.1. Special educational needs and disability code of practice: 0 to 25 years (DfE and Department of Health, April 2020) (**Code of Practice**).
- 3.3. The following School policies, procedures and resource materials are relevant to this policy:
  - 3.3.1. Equal Opportunities Policy;

- 3.3.2. Disability Policy;
- 3.3.3. Safeguarding and Child Protection Policy;
- 3.3.4. Risk Assessment Policy for Pupil Welfare;
- 3.3.5. Anti bullying Policy;
- 3.3.6. Behaviour and Discipline Policy;
- 3.3.7. English as an Additional Language Policy;
- 3.3.8. Admissions policy;
- 3.3.9. Relationships Education Policy; and
- 3.3.10. Accessibility Plan.

#### **4. Publication and availability**

- 4.1. This policy is published on the School website and in the Virtual Staffroom.
- 4.2. This policy is available in hard copy on request.

#### **5. Definitions**

- 5.1. Where the following words or phrases are used in this policy:
  - 5.1.1. References to the **Proprietor** are references to the Board of Directors of Norfolk House School Limited.
  - 5.1.2. References to **working days** mean Monday to Friday, when the School is open during term time. The dates of terms are published on the School's website.
  - 5.1.3. References to an **Individual Education Plan (IEP)** are references to a plan or programme designed for children with SEN to help them to get the most out of their education. An IEP builds on the curriculum that a child with learning difficulties or disabilities is following and sets out the strategies being used to meet that child's specific needs.
- 5.2. **"Special educational needs" and "learning difficulty"**
  - 5.2.1. Children have special educational needs if they have a learning difficulty which calls for special educational provision to be made for them.
  - 5.2.2. Children have a learning difficulty if they:
    - (a) have a significantly greater difficulty in learning than the majority of others of the same age; or

- (b) have a disability which prevents or hinders the child from making use of educational facilities of a kind generally provided for children of the same age in mainstream schools (please also see the School's Disability policy);
  - (c) are under five and fall within the definition at (a) or (b) above or are likely to do so do when of compulsory school age if special educational provision is not made for the child.
- 5.2.3. A child must not be regarded as having a learning difficulty solely because the language or form of language in which he or she is or will be taught is different from a language or form of language which is or has been spoken at home. However, children for whom English is an additional language will be provided with appropriate support. Please see the School's English as an Additional Language Policy.
- 5.2.4. A child who finds a particular subject difficult does not necessarily have a "learning difficulty" in the legal sense of that expression; there will often be disparities in the speed with which children learn, in their skill at solving problems and in aptitude generally.
- 5.2.5. The expression "learning difficulty" covers a wide variety of conditions and may include those known as dyslexia, dyscalculia, dyspraxia, attention deficit (hyperactivity) disorder, semantic processing difficulty and learning problems which result from social, emotional or mental health difficulties. The expression may also include those who have problems with their eyesight or hearing or who have an autistic spectrum disorder.
- 5.2.6. Learning difficulties may affect children who have a high IQ and academic ability as well as those of lower IQ and ability. Sometimes a child's learning difficulty becomes apparent for the first time at the age of 11+ or older, when the educational pressures tend to increase.

## **6. Responsibility statement and allocation of tasks**

- 6.1. The Proprietor has overall responsibility for all matters which are the subject of this policy.
- 6.2. To ensure the efficient discharge of its responsibilities under this policy, the Proprietor has allocated the following tasks:

<b>Task</b>	<b>Allocated to</b>	<b>When / frequency of review</b>
Keeping the policy up to date and compliant with the law and best practice	SENCO (Headmistress)	As required, and at least termly
Day to day responsibility for carrying out individual pupil risk assessments under the policy	" " "	As required, and at least termly
Monitoring the implementation of the policy, relevant risk assessments and any action taken in response and evaluating effectiveness	" " "	As required, and at least termly
Seeking input from interested groups (such as pupils, staff, parents) to consider improvements to the School's processes under the policy	" " "	As required, and at least annually
Formal annual review	Proprietor, SENCO	Annually

6.3. The School's SENCO has responsibility for:

- 6.3.1. ensuring liaison with parents and other professionals in respect of a child's special educational needs;
- 6.3.2. advising and supporting other staff in the School;
- 6.3.3. ensuring that appropriate IEPs are in place and effectively implemented;
- 6.3.4. ensuring that relevant background information about individual children with special education needs is collected, recorded and updated;
- 6.3.5. undertaking any other appropriate duties in accordance with the Code of Practice.

## **7. Procedures**

- 7.1. The School's approach to the detection and management of learning difficulties will be guided by the Code of Practice.
- 7.2. As part of the Assess-Plan-Do-Review Model and to ensure collaborative working, the School works closely with parents of children who have or may have special educational needs and learning difficulties to assess and review a pupil's needs and support. Parents are kept informed concerning assessment, planning, provision and review of their child's education.
- 7.3. **Identification of pupils with a learning difficulty**
  - 7.3.1. Pupil progress and engagement is monitored and if the outcome of a test or any other circumstance(s) give(s) us reason to think that a pupil may have a learning difficulty, we will report and consult with the pupil's parents as necessary and make recommendations about further assessment and support.
- 7.4. **Formal assessment**
  - 7.4.1. If there are indications that a pupil may have a learning difficulty, we will ask the pupil's parents to agree to the pupil being formally assessed by an educational psychologist or appropriate professional where appropriate.
  - 7.4.2. The parents may consult an educational psychologist retained by the School, or one of their own choice. The cost in either case must be borne by the parents.
- 7.5. The School will endeavour to follow any recommendations from that assessment, subject to agreement as to any additional fees payable.
- 7.6. **Learning support**
  - 7.6.1. As part of a graduated approach, the School may suggest the deployment of additional staff to support in-class learning.
  - 7.6.2. If there are indications that a pupil may have a learning difficulty but the circumstances are not such as to indicate an immediate formal assessment or the deployment of additional staff to support in-class learning, the School may suggest that time is allocated within the timetable for the pupil to attend a small learning support group which will concentrate on developing skills such as phonics, spelling, maths and handwriting.

7.6.3. Learning support of this kind will be arranged, subject to prior agreement being reached with the parent as to the charging arrangement for this.

7.6.4. The pupil's progress and needs will be monitored and, if necessary, the School will recommend a formal assessment if the learning support does not appear to be meeting the pupil's needs or where it is required for the purposes of applying for exam access arrangements (see 7.7)

#### **7.7. Examinations**

7.7.1. Pupils who have been diagnosed as having a learning difficulty may be eligible for extra time and / or other "access arrangements" to complete internal examinations and public examinations.

7.7.2. Parents are asked to liaise with their child's form teacher / SENCO in good time in regard to this.

#### **7.8. Information sharing and parent involvement**

7.8.1. New parents are asked to complete a Pupil Information Form to gather key background information which may be relevant and to provide copies of any report or recommendations which have been made in relation to special educational needs at their child's previous school or elsewhere within the last 12 months. Confidential information of this kind will only be shared within the School on a "need to know" basis.

7.8.2. The School will do all that is reasonable to report and consult with parents about their child's learning difficulties and to ensure that teachers are given any necessary information about a child's learning difficulties and that teaching practices are appropriate.

7.8.3. Parents should notify the School immediately if their child's progress or behaviour causes concern so that the School can devise and agree a strategy with the parents.

7.8.4. Parents bear the overall responsibility for taking decisions about the management of their child's learning difficulties. A parent who would prefer to have a formal assessment instead of learning support should make arrangements accordingly with the School or outside, as appropriate. In these circumstances parents must ensure that the School and the SENCO is given copies of all advice and reports received.

#### **7.9. Individual Education Plan**

7.9.1. The SENCO will ensure that an appropriate IEP is in place where required.



7.9.2. The IEP will be prepared in consultation with the parents and, if appropriate, the pupil and will include:

- (a) the adjustments, interventions and support required to meet the outcomes identified for the pupil;
- (b) the expected impact on the pupil's progress, development or behaviour, as appropriate; and
- (c) clear dates for review.

7.9.3. In carrying out the review, the SENCO will consider:

- (a) the effectiveness of the support and interventions and their impact on the pupil's progress;
- (b) the views of relevant teaching staff, the parents and, if appropriate, the pupil; and
- (c) any changes that are required to the support and outcomes set out for the pupil.

## **8. Education health and care plans (EHC plans)**

- 8.1. Parents and the School have the right under section 36(1) of the Children and Families Act 2014 to ask the local authority to make an assessment with a view to drawing up an EHC plan. The School will always consult with parents before exercising this right. If the local authority refuses to make an assessment, the parents (but not the School) have a right of appeal to the First-tier Tribunal (Special Educational Needs and Disability).
- 8.2. Where a prospective pupil has an EHC plan, the School will consult the parents and, where appropriate, the local authority to ensure that the provision specified in the EHC plan can be delivered by the School. The School will co-operate with the local authority to ensure that relevant reviews of EHC plans are carried out as required.
- 8.3. Any additional services that are needed to meet the requirements of the EHC plan will be charged to the local authority if the authority is responsible for the fees and our school is named in Section I of the EHC plan. In all other circumstances the school will agree the charging arrangements with the parent(s) with regard to the provisions of the Equality Act 2010, where applicable.

## **9. Additional welfare needs**

- 9.1. The School recognises that pupils with special educational needs or learning difficulties may be at risk of being bullied. The School's Anti Bullying Policy

makes it clear that bullying behaviour of any kind is not acceptable and will be taken very seriously.

- 9.2. The School will tackle inappropriate attitudes and practices through staff leading by example, through the personal, social, health, citizenship and economic (**PSHCE**) programme, relationships education, through the supportive School culture and through the School's policies.
- 9.3. If parents are concerned about their child's welfare they can approach the pupil's form teacher or Head of Pastoral Care to discuss their concerns in private at any time.
- 9.4. Additional barriers can exist when detecting the abuse or neglect of pupils with a special educational need or disability creating additional safeguarding challenges for those involved in safeguarding and promoting the welfare of this group of children. The School is mindful in particular that:
  - 9.4.1. assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the pupil's special educational need or disability without further exploration;
  - 9.4.2. pupils with a special education need or disability can be disproportionately impacted by bullying without outwardly showing any signs; and
  - 9.4.3. there may be communication barriers which are difficult to overcome to identify whether action under this policy is required.
- 9.5. Any safeguarding concerns will be dealt with in accordance with the procedures set out in the School's Safeguarding and Child Protection Policy.
- 9.6. **Disability**
- 9.7. The School recognises that some pupils with special educational needs or learning difficulties may also have a disability. Pupils and parents are referred to the School's Disability Policy.
- 9.8. The School will make all reasonable adjustments in order to afford opportunity to disabled pupils. However if, despite such adjustments, the School is unable to provide adequately for the pupil's needs, the School may decline to offer a place to a pupil or request that parents withdraw their child from the School (see 10 below).

## **10. Alternative arrangements**

- 10.1. We reserve the right, following consultation with you, to ask or require you to withdraw your child from the School if:

- 10.1.1. your child is in need of a formal assessment, additional specialist teaching, learning support or medication to which you do not consent; and / or
  - 10.1.2. you have deliberately withheld from the School information which prevents it from effectively addressing your child's learning difficulties;
  - 10.1.3. your child's learning difficulties require a level of support or medication which, in the professional judgment of the Headmistress, the School is unable to provide, manage or arrange;
  - 10.1.4. your child has special educational needs that make it unlikely he / she will be able to benefit sufficiently from the mainstream education and facilities which we provide.
- 10.2. In any of these circumstances we will do what is reasonable to help you to find an alternative placement which will provide your child with the necessary level of teaching and support.
- 10.3. Withdrawal of a pupil in these circumstances will not incur a charge to fees in lieu of notice. Any outstanding deposit paid in respect of your child will be credited to your account.

## **11. Training**

- 11.1. The School ensures that regular guidance and training is arranged on induction and at regular intervals thereafter so that staff and volunteers understand what is expected of them by this policy and have the necessary knowledge and skills to carry out their roles.
- 11.2. The level and frequency of training depends on role of the individual member of staff.
- 11.3. The School maintains written records of all staff training.

## **12. Risk assessment**

- 12.1. Where a concern about a pupil's welfare is identified, the risks to that pupil's welfare will be assessed and appropriate action will be taken to reduce the risks identified.
- 12.2. The format of risk assessment may vary and may be included as part of the School's overall response to a welfare issue, including the use of individual pupil welfare plans (such as behaviour, healthcare and education plans, as appropriate). Regardless of the form used, the School's approach to promoting pupil welfare will be systematic and pupil focused. Please see clause 6.2 for details of the individuals with responsibility for carrying out, monitoring,

implementing and reviewing the effectiveness of risk assessments under this policy.

### **13. Record keeping**

- 13.1. All records created in accordance with this policy are managed in accordance with the School's policies that apply to the retention and destruction of records.
- 13.2. The information created in connection with this policy may contain personal data. The School's use of this personal data will be in accordance with data protection law. The School has published privacy notices on its website which explain how the School will use personal data.

### **14. Version control**

Date of adoption of this policy	21.6.21
Date of last review of this policy	11.10.22
Date for next review of this policy	11.10.23
Policy owner (SMT)	SENCO (Headmistress)
Policy owner ( <b>Proprietor</b> )	Chair of Directors