

SECTION 6 Provision for Pupils

Local Mainstream Schools

Introduction.

The overwhelming majority of pupils with special educational needs in Warwickshire are educated in their local, mainstream school. It is the policy of the LA that this should continue to be the case and that through strategic partnerships all Warwickshire maintained schools will be disability friendly and capable of meeting the needs of even more pupils with SEN or other disability.

The SEN Code of Practice identifies five key principles

- A child with SEN should have their needs met
- Children with SEN should be offered full access to a broad, balanced and relevant education
- Children's needs will normally be met in mainstream schools
- The views of the child should be sought and taken into account
- Parents have a vital role to play in supporting their child's education

The Code of Practice reaffirms the *right* of all children with special educational needs but without statements to be admitted to a mainstream school. Children who have special educational needs but do not have a statement **must** be educated in a mainstream school. The Code of Practice on School Admissions underlines that such pupils must be treated as fairly as other applicants.

The Code of Practice significantly strengthens the right of parents of children with statements of special educational need to access a mainstream place. The starting point is always that children who have statements will receive mainstream education. The new section 316 stipulates that a child who has special educational needs and a statement **must** be educated in a mainstream school unless this would be incompatible with:

- the wishes of the parents (who may request a place in a special school)
- or the provision of efficient education of other children.
- an efficient use of the LA resources

These are the only reasons why mainstream education can be refused outright.

Local authorities and maintained schools can only deny mainstream education, against parental wishes, on the grounds that it would be incompatible with the efficient education of other children. A local authority will only be able to rely on this ground if there are no reasonable steps it, or a school, could take to prevent the incompatibility in a particular school or across its mainstream schools. A school will only be able to rely on this ground if there are no reasonable steps that either it or the local authority could take to prevent the incompatibility at the school.

Clear evidence must be provided to justify why no reasonable steps can be taken. It is envisaged that it will only be possible to demonstrate this in a small minority of cases.

Mainstream education cannot be refused on the grounds that the child's needs cannot be provided for within the mainstream sector. The general duty assumes that with the right

strategies and support most children with special educational needs can be included successfully at a mainstream school. The local authority should be able to provide a mainstream option for all but a small minority of pupils. Local authorities should look across all of their schools and seek to provide appropriate mainstream provision wherever possible.

When a mainstream or maintained special school is named in a child's statement the school must admit the child. Governing Bodies may only "argue against" admission, and only then "on the grounds that the child's education there would be incompatible with the efficient education of others.

Admission authorities must not refuse to admit a child who has special educational needs but does not have a statement because they feel unable to cater for their special educational needs.

Admission authorities must consider applications from parents of children who have special educational needs but no statement on the basis of the school's published admission criteria. Such children should be considered as part of the normal admissions procedures.

Admission authorities cannot refuse to admit a child on the grounds that he/she does not have a statement of special educational needs or the pupil is currently being assessed for one. Schools must comply with the outcomes of the SEN and Disability Tribunal.

The Role of School Governors

Governing Bodies exercise their duties within a statutory framework first elaborated under Part III of the Education Act 1993. Every school maintained by the LEA has a copy of "A Guide to the Law for School Governors" (DfEE 6/97). Governing Bodies should make reference to this document in order to clarify their legal responsibilities in relation to Special Educational Needs.

In summary the law requires that the Governing Body should:

- appoint a responsible person to ensure that all staff who are likely to teach the pupil are aware of those needs. The responsible person is generally the head, but may be the chair of the governing body or a governor appointed by the governing body to take that responsibility. If the responsible person is the head, it is helpful for one other governor to have an interest in special needs;
- make sure that the school has a written SEN policy, which is publicly available and easily understood by parents.
- do its best to ensure that all children with SEN are identified and that their individual needs are met;
- identify a governor or committee to be responsible for oversight of SEN provision in the school and present regular reports to the governing body;
- ensure that staff are aware of the importance of identifying and providing appropriate teaching for SEN pupils and, where relevant, are kept informed of those pupils' needs;
- ensure that parents are notified of a decision by the school that SEN provision is being made for their child
- include in the Annual Report to Parents a review of the SEN policy, how it has helped pupils, and the admission arrangements for disabled pupils;
- make sure that pupils with SEN take part in as many of the school's normal activities as possible;
- understand and follow the LEA's policy on funding SEN and check that appropriate resourcing is being made available;
- admit any pupil whose SEN statement names their school and not discriminate against other pupils with special educational needs when offering places at the school;
- consult with the LEA, other schools and other services in order to co-ordinate provision in the area as a whole, when this is appropriate;
- appoint a SEN Co-ordinator (SENCO);
- have regard to the SEN Code of Practice (DfES 2001) in determining school policy for SEN;
- from September 2002, produce an Accessibility Plan describing the reasonable adjustments which the school will make to ensure that disabled people (including pupils) are not treated less favourably than others;

The responsibility of Governors to maintain high levels of confidentiality in their work is particularly important in the area of SEN, where information about particular pupils may become known to them, particularly when carrying out the role of SEN Governor. Generally, there should be no necessity for the identity of individual pupils to be disclosed to Governors in fulfilling their responsibilities to monitor SEN provision.

Defining Special Educational Needs (SEN)

Legally a child is defined as having special educational needs if he or she has a learning difficulty which calls for special educational provision. A learning difficulty means either that the child has significantly greater difficulty in learning than most children of the same age or that a child has a disability which prevents them accessing the normal curriculum in schools in their area unless special provision is made for them.

The legal definition does not include more able/gifted and talented children or children whose difficulties arise through their mother tongue being other than English.

The children who need special educational provision, therefore, are not only those with obvious disabilities, such as those who are:

- physically disabled
- have a hearing loss
- are visually impaired.

They include those whose needs are less apparent, such as those with

- learning difficulties in one or more areas of the curriculum
- social, behavioural and communication difficulties
- emotionally vulnerable children

It is estimated that up to 20% of children may need special educational help at some stage in their school careers but only a very small percentage of those will need the protection in law of a Statement of SEN.

Special educational provision can be made in many different ways. It can mean extra help for a child being taught in an ordinary class; or it can involve teaching the child separately in a special unit attached to an ordinary school, or in a special school. However, in Warwickshire, only a very small minority of pupils, (less than 1%), will need a level of specialist provision which will be generally unavailable in mainstream schools.

Reference should be made to the guidance 'School Action, School Action Plus and Threshold Guidance' which is set out later in this Section.

SEN and the National Curriculum

Schools have a responsibility to provide a broad and balanced curriculum for all pupils. The National Curriculum is the starting point for planning a school curriculum that meets the specific needs of individuals and groups of pupils.

In order to provide all pupils with relevant and appropriately challenging work, teachers can modify, as necessary, the National Curriculum programmes of study. In developing a more inclusive curriculum, teachers should:

- aim to give every pupil the opportunity to experience success in learning and to achieve as high a standard as possible;
- plan their approaches to teaching and learning so that all pupils can take part in lessons fully and effectively;
- support individuals or groups of pupils to overcome potential barriers to learning.

In most cases, the action necessary to respond to an individual's requirements for curriculum access will be met through greater differentiation of tasks and materials by the teacher. A smaller number of pupils may need access to specialist equipment and approaches or to alternative or adapted activities.

The LA has a policy of not educating pupils out of their appropriate year group. Keeping a pupil in a year group with younger pupils for lengthy periods for reasons related to their special needs can be construed as denying the pupil his or her access to the National Curriculum, which the LA, Governors and Head have a legal duty to implement under the provisions of the Education Reform Act 1988. Further advice and guidance on this issue is contained in the guidance 'Requests for Children to be placed in a Year Group with Younger Pupils', published January 2000.

School Curriculum Policies

- The aims and purposes of the curriculum in Warwickshire schools are defined broadly in the County's Curriculum Policy Statement. The County continues to promote a vision of a broad, whole curriculum which includes the National Curriculum and which responds to the aims, values, attitudes, ethos and needs of individual schools.
- From September 2000 pupils in nursery and reception classes belong to a new Foundation Stage and will experience a curriculum based on Early Learning Goals.
- The revised National Curriculum from September 2000 maintains a statutory curriculum of English, mathematics, science, information and communication technology, art and design, design and technology, geography, history, modern foreign languages (Key Stages 3 and 4), music and physical education. To these have been added Personal, Social and Health Education and Citizenship as non-statutory guidance in Key Stages 1 and 2 and as statutory elements at Key Stages 3 and 4 from September 2002.
- Through the statutory curriculum runs a clear expectation for inclusion based on three key principles:

- Setting suitable learning challenges
 - Responding to pupils' diverse learning needs
 - Overcoming potential barriers to learning and assessment for individuals and groups of pupils.
- The new National Curriculum also promotes the development of key skills through all subjects:
 - Communication
 - Application of number
 - Information technology
 - Working with others
 - Improving own learning and performance
 - Problem solving
 - Thinking skills
 - There is still a requirement to teach religious education and to have policies to direct the teaching of sex and drugs education.

School Policies for Special Educational Needs.

The school's policy for SEN should reflect the school's Curriculum Policy Statement and the School's Mission Statement.

All Governing Bodies are required by law to have a stated policy for the provision made by the school to meet Special Educational Needs. The following is a summary of the required and recommended content of such a policy document.

(The statutory requirements are set out in Schedule 1 of *The Education (SEN) (Information) (England) Regulations 1999* reproduced in Annex A at the back of the SEN Code of Practice (DfES 2001)

- A statement about the responsibility and accountability of the LA, Governing Bodies, and teachers for meeting special educational needs.
- A definition of what is meant by SEN, including types of need. Reference to the SEN Code of Practice (DfES 2001) and that the school's policy has regard to this Code.
- Identification of a 'Responsible Person' who oversees the school's policy and provision for SEN.
- Policy regarding access and facilities for the disabled, and any adaptations to the school premises which have taken place or are planned in this area. (Relate to Accessibility Plan from Sept. 2002)
- Relate to school Aims Statement and particular school ethos – concept of Inclusion and what this means to the school. Specify the objectives of the school in relation to pupils with SEN. Arrangements to ensure access to the full Foundation Stage and National Curriculum and full involvement in school activities in general.
- Issues concerning the admission of pupils with SEN with reference to the school's Admissions Policy, demonstrating that such pupils are not treated less favourably.
- An explanatory summary of the categories of intervention (School Action, School Action Plus, etc.) as specified by the SEN Code of Practice.

- Details of how the school is funded for SEN.
- A summary description of the school's provision for SEN :-
- How needs are identified and assessed.
- The nature of the support provided, e.g. support staff, the involvement of the SENCO, provision through 'School Action', the policy on in-class support/withdrawal, etc.
- Resources, including the use of ICT.
- Policy on the involvement of specialist support at 'School Action Plus'.
- Policy on how the school's notional SEN funding is spent.
- The role of the SENCO and his/her responsibilities.
- Arrangements for maximising the involvement of pupils and their parents in agreeing, supporting and reviewing SEN provision.
- SEN training opportunities for staff.
- Target-setting for SEN pupils and the criteria for pupil progress.
- The use of IEPs – what they are, who they are used for and how they are used, including the involvement of pupils and parents in IEPs.
- Arrangements for the review of pupil progress including IEP reviews and Annual Reviews of Statements.
- Monitoring arrangements to ensure the implementation of the policy and evaluation criteria for its success. The role of Governors in this – through a named SEN Governor or sub-committee.
- Role of the LEA – support available – LABSS, IDS Teaching and Learning Teams, Educational Psychology Service, Education Social Work Service, Special Schools – the Monitoring role of the LEA.
- Possible involvement of other agencies – Health Authority, Social Services – protocols for school contact with them. Confidentiality.
- Liaison with other schools, at pupil transfer and, possibly, with Special Schools.
- Communicating with parents re. SEN. What parents should do if they have concerns. Complaints procedure. Information which is available. Availability of the Parent Partnership Service.
- Role of the SEN Governor.
- Possible annual updates – identification of current SENCO, Support Staff, SEN Governor, current SEN income and expenditure pattern, current SEN pupil numbers etc.

The Responsibilities of the SEN Governor

It is good practice for the governing body to appoint a SEN governor and they may also have a committee to help monitor SEN provision throughout the school. The responsibilities might include:

- becoming informed about relevant documents and legislation, e.g., school SEN Policy, LEA Policy/guidelines on SEN, the Code of Practice for the Identification and Assessment of SEN, school SEN Development Plan;
- knowing the numbers of children identified as receiving support through School Action, School Action Plus or Statements in the school and, in summary, the progress made by pupils receiving these different degrees of intervention;
- Knowing whether appropriate resources from the school budget are allocated for this part of the school's work, understanding how the school's notional SEN income is being spent and how priorities are decided;
- arranging regular meetings with the SEN co-ordinator (SENCO);

- being a point of contact on the Governing Body for parents of SEN children if necessary, once the normal contact between the parents and teachers, including the Headteacher, have been established ;
- reporting on the school's provision and making recommendations where necessary to the termly governing body meeting;
- writing a section in the Governors' Annual Report to Parents on the effectiveness of the school's implementation of the SEN policy, any consultation with the LA and other schools and how resources have been allocated to and amongst SEN pupils over the year.

Monitoring the effectiveness of the SEN Policy

The Governing Body is responsible, with the Headteacher, for the SEN Policy of the school. This policy, together with the school's Aims Statement will set the strategic vision for the school. *Neither the Governing Body nor the 'SEN Governor' should become involved in the operational implementation of that policy which is properly the province of the Headteacher and management team in the school. The Governing Body, perhaps through the SEN Governor, does have a responsibility to monitor how it exercises its duties in relation to its statutory requirements. This process might involve seeking answers to questions such as:*

- When was our Special Educational Needs policy document last reviewed and by whom?
- What was the role of governors in this process?
- Does the policy document contain all the information required by law and reflect good practice? The policy should comply with the Schedules of The Education (Special Educational Needs) (Information) (England) Regulations 1999, reproduced in Annex A at the back of the SEN Code of Practice (DfES 2001).
- What range of types of special educational need does your school currently have to meet?
- How does the school identify and assess special educational needs?
- What percentage of your current number on roll are on your school's SEN register?
- What is the prevalence of the different categories of need in your school? Is this typical of 'schools like yours'? Has this changed significantly in recent years?
- What is your school's current SEN 'banding'?
- What is your school's staffing policy for SEN provision? That is, what time and responsibilities are allocated to your SENCO, and what other staff are employed to support SEN?
- What general patterns of support do staff provide for SEN pupils? In class? Withdrawn? Individual? Shared? For what proportion of lessons? For which parts of the curriculum?
- How does support for statemented pupils differ from that for non-statemented SEN pupils, if at all?
- Which external specialist support services does the school involve?
- On what basis does the school decide that it is necessary to involve external agencies to support its work with a pupil?
- Does the school subscribe to the County's Learning and Behaviour Support Service (LABSS) or another external support provider such as Round Oak School (if you are a Central Area School)? If not, how does the school provide specialist support at School Action Plus? How is this specialist support evaluated and the quality measured?
- How does the school use Individual Education Plans (IEPs)?

- What involvement do pupils and parents have in them?
- How do school staff know about them?
- How does the school conduct IEP reviews and Annual Reviews of Statements?
- Does our school have an effective behaviour policy, which includes the school's approach to exclusion and which is subject to regular review? How is difficult pupil behaviour managed by the school?
- Are Pastoral Support Plans in place where appropriate?
- Does SEN feature in your School Development/Improvement Plan?
- How do the interventions for pupils change between normal differentiation, 'School Action' and 'School Action Plus'?
- Do Annual Reviews of SEN Statements ever recommend destatementing?

Evaluating Success

Similarly, in order to evaluate the success of the provision made by the school for SEN, the following questions might be asked:

- what are the criteria of success for your school's policy in providing for SEN, including both learning and behavioural needs?
- how does the school evaluate the effectiveness of its SEN provision and how are the achievements and progress of SEN pupils measured by the school?
- what are the current details of the numbers of School Action and School Action Plus interventions on your SEN register and how have these changed over time?
- are pupils with SEN able to fully access the curriculum and are they fully included in all school activities?
- are pupils happy at school, are they well motivated in their and are they and their parents satisfied with the progress being made? How do you know?

Reporting Requirements

Once during each school year all governing bodies must publish a Governors' Annual Report for parents of all registered pupils. This will include information about the implementation of the governing body's policy on pupils with SEN and any changes to the policy in the last year.

More specifically you should provide parents with:

- a statement on the success in implementing the governing body's changes to that policy since the last report;
- a description of the admission arrangements for pupils with SEN or disabilities and any ways in which these differ from those for other pupils; (in terms of access to school places, they should not differ);
- details of steps taken to prevent pupils with SEN or disabilities from being treated less favourably than other pupils;
- details of facilities provided to assist access to the school by pupils with disabilities.

Further information on these requirements can be found in DfEE Circulars 7/99 (Governors' Annual Reports in Primary Schools) and 8/99 (Governors' Annual Reports in Secondary Schools).

The role of the SENCo

All teachers are teachers of pupils with special educational needs. Teaching such students is therefore a whole school responsibility requiring a whole school response..(DfES 2001. 5.2)

1. **Responsibility for the management of SEN coordination must lie with a qualified teacher.** Having the responsibility does not mean the post-holder has to carry out every task personally, in many schools a number of individuals (including teaching assistants) will be working together to ensure that SENCo functions are performed. But it does mean that the designated teacher is responsible for ensuring that functions are properly carried out and for reporting to the senior management team (S.M.T) on the coordination of special educational provision.
2. **The teacher with responsibility for the management of SEN coordination (the SENCo) should be a member of the senior management team** in order that the management of SEN provision should have the status and authority in the school to impact directly upon policy and practice in teaching and learning, pupils' personal development and care of pupils.
3. **Increasingly the SENCo role is becoming one of Strategic Direction and Development** and SENCos are required to have a strategic overview of SEN and Inclusion throughout the school including planning, policy writing, advising and supporting other staff.
4. **SENCo accreditation is being developed by the TDA, in consultation with the DfES, and SENCo should be given opportunities to develop the role and further their skills through training.** As this is implemented, all new to role SENCos will need to have this accreditation. It is desirable that all SENCos should have additional training and/or qualifications in SEN.

5. The SEN code of practice recommends that it is inadvisable for the head teacher to take on the onerous role of SENCo. In some circumstances, where this is felt to be unavoidable, some of the duties involved might be delegated to others, including members of the non-teaching staff, while the head teacher remains the designated SENCo with overall responsibility.

6. **Non-teaching staff should not have overall responsibility for managing the school's provision in the SEN.** There are, however, many tasks and responsibilities in relation to provision for SEN, which may be delegated to non-teaching staff. The delegated responsibilities of teaching assistants **must not**, however, include the following:-
 - steering the School's teaching and learning policy in relation to provision for pupils with SEN, including the coordination of the assessment of the needs of those pupils;
 - evaluating the overall effectiveness of the provision made by pupils with SEN and thereby influencing policy in relation to further developing such provision.
 - making or directly influencing policy decisions about the expenditure of the school's notional SEN income;
 - routinely reporting to governors of the school's provision for SEN and its effectiveness;
 - managing or chairing the Annual Review of SEN statements, although teaching assistants will generally contribute information to such reviews.
 - having sole responsibility for the writing of IEPs, although they may contribute to them.

These responsibilities listed above should be met by a qualified teacher, usually the SENCo or another senior manager.

Key Responsibilities of the SENCo.

The Code of Practice (DfES, 2001) sets out the Key Areas of Responsibility for SENCos as follows:

1. Overseeing the day-to-day operation of the school's SEN policy.
2. Liaising with and advising fellow teachers.
3. Managing the SEN team of teachers and teaching assistants.
4. Coordinating provision for pupils with special educational needs.
5. Overseeing the records on all pupils with special educational needs.
6. Liaising with parents of pupils with special educational needs.
7. Contributing to the in-service training of staff.
8. Liaising with external agencies.

These areas can be expanded (although not exhaustively) as:

1. Overseeing the day to day operation of the school's SEN policy
<ul style="list-style-type: none"> • Managing budgets and resources • Special arrangements end of key stage tests and external examinations. • Supporting a positive school ethos and celebrating achievement for all reinforcing the National Curriculum Statutory Inclusion Statement to ensure that all colleagues recognize that every teacher is a teacher of pupils with special

educational needs.

2. Liaising with and advising fellow teachers

- Supporting staff in the differentiation of curriculum to ensure full access for all pupils – this includes working with colleagues on curriculum policies to ensure differentiation for each year group.
- Monitoring class teachers, advising on and supporting their teaching and curriculum delivery for those pupils with special educational needs.
- Liaising with the head teacher.

3. Managing the SEN team of teachers and teaching assistants

- Managing staff – other teaching staff and non-teaching staff (teaching assistants) – this includes timetabling, delegation of tasks, advising, supporting and monitoring.

It is the SENCo's responsibility to ensure that resources and support are allocated and maintained for all those individual pupils who may need additional provision. There are many different kinds of support staff in our schools today. Teaching Assistants, Learning Mentors, Behaviour Support Staff and many others are working together to provide alternative provision of those pupils requiring additional support. The SENCo will need to manage the staff in the most effective way for their school.

Staff need to feel part of a team, be given the opportunity to communicate with each other and feel that their contributions are worthwhile.

The work of other adults need to be reviewed regularly. In reviewing pupil progress and tracking achievement, the SENCo should review targeted support on a regular basis. All staff should have very clear job descriptions and performance review process of their work and role within the School.

All staff should be trained and supported to ensure that they are providing the best quality support for all pupils. This may mean allowing planning and preparation time for all staff to discuss the best ways of working together within a classroom.

4. Coordinating provision for pupils with special educational needs.

- **Ensuring that all pupils, including those with special additional needs receive their full educational entitlement and have access to the whole curriculum.**
- **Managing Wave 2 and Wave 3 interventions and the development of alternative teaching strategies and individual programmes where necessary.**
- **Tracking pupil progress using all available data and evidence.**
- **Initiating and carrying out assessments.**
- **Implementing a variety of teaching styles to support the learning styles of individual pupils.**

There is a wide and diverse amount of data collected by schools and it is used in a variety of ways. SENCos should be actively involved with the analysis of data for the whole school and in the planning and intervention for those pupils not making expected progress.

They should:

- **Know their school's data**
- **Track progress of all those pupils with special educational needs**
- **Plan appropriate interventions**
- **Monitor and review**

The statutory collection of P level data from summer 2007 and the introduction of RAISE online should support this work.

5. **Overseeing the records on all pupils with special educational needs**

- **Preparing and managing statutory assessment paperwork.**
- **Organising, attending, chairing and the administration of Annual Reviews (including writing the schools advice and recommendation report).**
- **Contributing to and writing Individual Education Plans supporting teaching and learning.**

6. **Liaising with parents of pupils with special educational needs**

- **Meeting with parents and carers.**

It is very important that parents are kept informed of any provision that is being made for their child. This can be effectively managed by ensuring that all staff who will be supporting the individual pupil meets with the parents and discusses the support they will be giving to their son/daughter.

7. **Contributing to the in-service training staff**

- **Leading CPD for all staff, governors and parents. In some instances also providing training the other SENCo's within cluster or local authority.**
- **Acting as a role model for quality first teaching for all pupils.**
- **Providing support and training for all staff.**
- **Supporting colleagues with behaviour issues through training, in-class support and strategies for classroom management.**
- **Providing support and training (where necessary) for teachers to manage and work effectively with other adults.**

8. **Liaising with external agencies**

- **Preparing referrals and attending meetings with other outside agencies.**
- **Managing the transition process.**
- **Reporting to Governors.**

An effective SENCo should have following qualities:

- **personal impact and presence**
- **a positive response to change**
- **energy, vigour and perseverance**

- self-confidence
- enthusiasm
- intellectual ability
- reliability and integrity
- commitment

To ensure the SENCo is able to carry out their role effectively and efficiently they need to be aware of and have regard to a number of important legislative documents that are currently part of the Government's programme of change.

- Disability Discrimination Act 1995
- SEN and Disability Act (SENDA) 2001
- SEN Code of Practice 2001
- Removing Barriers to Achievement
- Every Child Matters
- School Self-Evaluation – OFSTED framework
- Local Authority Formula Funding – delegation to schools
- Five –Year Strategy for Children and Learners
- Children's Act 2004
- National Service Framework for Children, Young People and Maternity Services
- 10-year strategy for childcare
- Education and Inspection Act 2006

The Code says that each school should have a named teacher who is responsible for:

- the day-to-day running of the school's SEN policy;
- overseeing the identification of pupils needing intervention through School Action, School Action Plus or a Statement
- working with and advising fellow teachers;
- co-ordinating the teaching provided for children with special educational needs;
- overseeing the records on all pupils with SEN;
- keeping in touch with parents of children with special educational needs and ensuring parents are informed when their child is identified as having SEN or when significant changes occur in the nature of their support;
- supporting the in-service training of staff;
- working with external agencies including the educational psychology service and other support agencies, medical and social services and voluntary bodies.

It should be noted that the SENCO needs sufficient time to carry out these responsibilities (SEN Code of Practice, 5:33/6:36). Any responsibility allowance and the creation of the necessary time for the SENCO to do so should not be funded from delegated funding intended to support the *particular* needs of pupils, (i.e pupils with Statement or those receiving specialist input at School Action Plus, (SEN Code of Practice, 5:35/6:38).

Budget Management

Governing bodies should:

- be aware of their notional 'SEN income' - i.e., the Additional Educational Needs factor and Statement resources;
- have information about the broad categorised breakdown of SEN expenditure, actual and planned, for the school for staffing (including different types of staff), external specialist support and other SEN spending;
- be involved in informed policy decisions concerning SEN expenditure patterns.
- Ensure that the financial planning takes account of the demands which might be made by a pupil with SEN, currently unknown to the school, may be admitted to the school roll.

Involving Parents, Children and Young People.

The Code of Practice places much emphasis on the importance of working with parents and keeping them informed about their child's progress at school. The Code also emphasises the importance of involving children and young people.

Governing Bodies should consider establishing policies which sets out the arrangements which the school normally expects to make to ensure that parents and pupils are fully engaged in the decision-making processes.

The Sections on "Planning for Individual Pupils" (Section 7), "Reviews" (Section 9) and "Working With Parents and Carers" (Section 10) all provide further guidance in these areas.

Disapplication.

Guidance on the disapplication of the National Curriculum is under review. The LA takes the view that disapplication should only be considered in very exceptional circumstances and will be rarely used.

Curricular Flexibilities

Initiatives at Key Stage 4 will increasingly enable schools to make alternative provision in order to give pupils access to work related learning and to support pupils with particular learning needs – both low and high attaining pupils. The LA will be producing guidance in response to the April 2002 Green Paper on Education 14-19.

School Action, School Action Plus and Threshold Guidance

The Relationship Between Needs and Provision¹

The SEN Code of Practice establishes new terminology; *School Action* (SA) and *School Action Plus* (SA+). These terms have sometimes been taken to replace Stages 2 and 3 as described in the Code of Practice (1994). However, to make a simple link between Stage 2 and *School Action* and Stage 3 and *School Action Plus* would be misleading.

The Stages of the old Code of Practice came to be understood as relating directly to the needs of the child. The severity of the need would determine the pupil's Stage on the SEN Register. Funding arrangements reinforced this with pupils at Stage 3 receiving more resource than pupils at Stage 2. The SEN Audit moderation process sought, as far as possible, to ensure that the severity of need at the different Stages was broadly comparable across all schools.

School Action and *School Action Plus* do not define severity of need but seek to describe the response which schools have made to address the need.

A child has special educational need when the school has to "provide interventions that are additional to or different from those provided as part of the school's usual differentiated curriculum" (5:43/6:50). Recognising that the quality of a school's 'usual differentiated curriculum' will vary from school to school, the Code of Practice states: "The way in which a school meets the needs of all children has a direct bearing on the nature of the additional help required by children with special educational needs, and on the point at which the additional help is required." (5:37/6:41) The Code of Practice is clear that there is no 'hard and fast' threshold of need which determines that a pupil has SEN.

"The key test of the need for action is evidence that current rates of progress are inadequate. There should not be an assumption that all children will progress at the same rate. A judgement has to be made in each case as to what it is reasonable to expect a particular child to achieve. Whatever the level of pupils' difficulties, the key test of how far their learning needs are being met is whether they are making *adequate progress*." (5:41/6:48)

Adequate progress can be defined in a number of ways. It might, for instance, be progress which:

- closes the attainment gap between the child and their peers
- prevents the attainment gap growing wider
- is similar to that of peers starting from the same attainment baseline, but less than that of the majority of peers
- matches or betters the child's previous rate of progress
- ensures access to the full curriculum
- demonstrates an improvement in self-help, social or personal skills
- demonstrates improvements in the child's behaviour. (542/649)

Where a pupil is making *adequate* progress (by any of these measures) as a result of the

¹ Pupils with a diagnosis of low-incidence physical or sensory impairments whose support needs are being met, for example through the provision of aids, and who can therefore access the curriculum as well as non-impaired pupils may not require classification as having needs at School Action or School Action Plus. Support is provided by IDS, frequently without the need for a Statement.

effective, differentiated provision in the classroom, the pupil is not considered to have special educational needs. Another school may determine that a pupil with the same needs-profile *will* require additional or different help from that given to other children. In this case, the child would be described as receiving intervention through *School Action*.

Deciding on intervention through ‘School Action’.

If, despite appropriate differentiation through curriculum planning, learning tasks and teaching strategies, a pupil fails to make adequate progress then the school should consider whether the child has special educational needs and should be supported by *School Action*.

Such a child will be one who, despite receiving differentiated learning opportunities in the classroom *over a period of at least two school terms*:

- makes little or no progress even when teaching approaches are targeted particularly in a child’s identified area of weakness
- shows signs of difficulty in developing literacy or mathematics skills which result in poor attainment in some curriculum areas
- presents persistent emotional, social and behavioural difficulties which are not ameliorated by the behaviour management techniques usually employed in the school
- has sensory or physical problems, and continues to make little or no progress despite the provision of specialist equipment
- has communication and/or interaction difficulties, and continues to make little or no progress despite the provision of a differentiated curriculum. (5:44/6:51)

The nature of the intervention.

The Code of Practice states that,

“The SENCO and the child’s class teacher should decide on the *Action* needed to help the child to progress in the light of their earlier assessment. There is sometimes an expectation that this help will take the form of the deployment of extra staff to enable one-to-one tuition to be given to the child. However, this may not be the most appropriate way of helping the child. A more appropriate approach might be to provide different learning materials or specialist equipment; to introduce some group or individual support; to devote extra adult time to devising the nature of the planned intervention and to monitoring its effectiveness; or to undertake staff development and training to introduce more effective strategies.” (5:49/6:57)

Intervention through School Action may be wide ranging and various. Like the definition of SEN itself, it will depend on the context of the school. In Warwickshire the interventions should be resourced from the funds delegated to the school for the purpose of addressing special educational needs.

It **will** include

1. The involvement of the SENCO
This is essential. The SENCO should jointly plan the nature of the School Action intervention with the teacher/s and teaching assistants most involved with the pupil.
2. The use of an Individual Education Plan (IEP)
This is essential, though in some circumstances, a group education plan might be appropriate where particular learning needs are common to a number of pupils in the same class. The plan should, however, be different from and additional to a differentiated curriculum plan and should address the *particular learning needs* of the pupil. Reviewing the success of the plan is also essential. (For further guidance on IEPs, schools should refer to the current LA guidance in the Reference File.)

It **may** include any, or some combination of the following:-

3. The use of teaching assistants
Teaching assistants may be deployed under the direction of the SENCO and the class/subject teacher to support the pupil either individually or within a group, either within the class or for periods of withdrawal. Such teaching support should involve learning tasks and strategies which pursue the objectives of the lesson and relate to targets on the pupil's IEP.

Support might be focused on a particular piece of work or may simply be available to the pupil at key moments in the lesson when, as a result of the pupil's *particular learning needs*, support is needed. In effect, this may be that the pupil is able to access shared support in some lessons.

While, as the Code of Practice states, such *Action* should not be regarded as the only or even the principal means of intervention, it will be unusual for a 'School Action' pupil not to be able to access some such support on several occasions during a normal week in curriculum areas where particular difficulties are encountered. In providing such support, development of the pupil's independence in learning should not be overlooked. Strategies to encourage independence should always be involved in the support provided by teaching assistants.

Such additional support may, of course, in some schools, be provided by a qualified teacher deployed to support SEN.

4. Provision of special learning and assessment materials
Additional materials might be purchased by the school for use in School Action interventions. These may be particular reading schemes, phonic skills materials and games, numeracy teaching resources, photocopiable resources, large print texts or specialised assessment materials etc. For such provision to be considered as School Action, however, the materials should address the *particular learning needs* of the pupil concerned and not simply assist normal differentiation.
5. Provision of specialist equipment
Aids to alleviate sensory impairment, to assist physical mobility or to support specific difficulties, such as coloured overlays to help some dyslexic children, might

be purchased by the school to support School Action interventions. In many cases, however, external support services may have to be involved at School Action Plus to advise on the use of such equipment or provide maintenance for it.

6. Provision of enhanced ICT facilities

Creating additional opportunities for pupils to use ICT to address their learning difficulties or providing more specialist equipment such as concept keyboards, roller-ball 'mice', voice-activated software etc. to address *particular learning needs* may be part of School Action interventions.

7. Enabling effective pastoral support systems

Effective pastoral support systems in schools for identified pupils often require additional staff time. Staff such as Year Heads, for example, may require non-teaching time specifically to mentor and support pupils whose behaviour creates learning difficulty for them. Access to such support systems, with the costs involved, might be considered to be intervention through School Action. However, the procedures involved would need to be additional to the normal behaviour management system used by the school in order to qualify as 'SEN provision'.

8. Provision of additional lunchtime support

Pupils with particular behavioural, interactional, emotional or social needs may require focused support during the lunch break. This may of course be shared, but the employment of additional lunchtime staff directed towards supporting the particular needs of identified pupils may be considered as intervention through School Action. The SENCO should be involved in directing the work of such staff.

9. Making 'alternative provision'

It is effective – where the extent of SEN allows it – to establish a range of programmes to which children can be allocated on a rotational basis.

These could be regarded as School Action intervention if designed to meet the *particular learning needs* of the pupil concerned. They might include:

- Nurture Groups.
- Social Use of Language (SULP) Programmes.
- Communication Opportunity Group Scheme (COGS).
- Special I.T. programmes.
- Peer Tutoring.
- Precision Teaching.
- Social Skills Groups.
- FRIENDS.
- Peer Mentoring.

Similarly, the provision of in-class support can best be used through intensive 'bursts', especially if this focuses on the teaching of strategies for independent learning.

10. Providing additional planning time for teachers

Effective intervention through School Action requires careful planning on the part of the SENCO, teachers and teaching assistants. Such planning in itself might be regarded as part of the intervention, the more so if it is specifically reviewed and its

effectiveness evaluated. Creating time to review and evaluate SEN strategies for particular pupils may well enhance the effectiveness of the intervention.

11. Providing staff training

Effective provision will often need servicing by staff training. Teachers, trained in supporting the particular needs of pupils in their class will be more effective. To consider such training, in itself, to be a part of the intervention through *School Action* may well be more appropriate than simply providing unfocused token 'support'.

It is impossible and undesirable to precisely quantify what schools should provide for pupils through *School Action*, but significant aspects of the above range of interventions should be provided for pupils making inadequate progress. If such approaches, supported by an appropriate IEP, fail to enable the pupil to make adequate progress, then specialist involvement at *School Action Plus* should be implemented.

Deciding on intervention beyond 'School Action'

A pupil will require a higher level of specialist input when *despite* receiving an individualised programme and/or concentrated support under *School Action* for a period of *at least two school terms* he or she:

- continues to make little or no progress in specific areas over a long period
- continues working at National Curriculum levels substantially below that expected of children of a similar age
- continues to have difficulty in developing literacy and mathematics skills
- has emotional, social and behavioural difficulties which substantially and regularly interfere with the child's own learning or that of the class group, despite having an individualised behaviour management programme
- has sensory or physical needs, and requires additional specialist equipment or regular advice or visits by a specialist service
- has ongoing communication or interaction difficulties that impede the development of social relationships and cause substantial barriers to learning. (5:56/6:64)

This higher level of intervention will be characterised by

- Significantly more and/or qualitatively different provision from that being made by the school for the previous two terms
- Support provided by a relevantly qualified and age/phase experienced specialist following
- Assessment undertaken by a specialist with appropriate qualifications in the area of difficulty
- Parental (or carer) consent and involvement in support
- Involvement of the specialist providing the support and the parent at every I.E.P. Review
- I.E.P. being reviewed at least termly
- I.E.P. targets and strategies are reflecting specialist guidance and advice
- The advice and attendance of relevant professionals is invited at I.E.P. Review
- School's Educational Psychologist is aware of the nature of the need and the provision being made by the school
- E. P. advice is accessed as appropriate
- Any support by a Teaching Assistant is undertaken under the specific direction of the teacher and/or the SENCO

External Specialist and Provision from Within the School

The higher level of intervention described above may be provided by specialists on the staff of the school or by external specialists. While *School Action Plus* will always be characterised by the involvement of **external** specialists, the involvement of external specialists need not be limited to such children. “Outside specialists can play an important part in the very early identification of special educational needs and in advising schools on effective provision designed to prevent the development of more significant needs. They can act as consultants and be a source for in-service advice on learning and behaviour management strategies for all teachers.” (5:54/6:62)

In other words the involvement of external agencies and specialists does not *of itself* result in a pupil being considered to be in receipt of intervention at *School Action Plus*.

Some schools (particularly larger schools) and clusters of schools may have staff from within their own staffing establishments with the accredited qualifications and necessary experience and expertise to meet the special educational needs of pupils on the school roll. Where this is the case, all teachers and all pupils will benefit from the expertise on hand in terms of:

- specialist assessments
- better measurement of progress
- focussed monitoring
- advice on targets
- advice on teaching strategies
- advice on materials
- advice on activities

In schools where such high level of expertise is available, pupils are considered to be receiving intervention at *School Action* even though pupils with similar levels of need in other schools, where this level of expertise is only available externally, will be described as receiving intervention at *School Action Plus*.

As with the definition of SEN itself, the descriptions *School Action* and *School Action Plus* relate to the context of the school and its ability to meet need *effectively* itself. Given the differing levels of expertise and confidence between schools it is likely that pupils with identical needs will in one setting be in receipt of *School Action* and in another, *School Action Plus*.

For this reason Warwickshire’s funding arrangements will make no distinction between pupils at SA and SA+ on the SEN Register. To do so would have the effect of penalising those schools which seek to develop high quality expertise within its own staff and undermine efforts to promote school improvement and inclusion.

For pupils with the highest level of need (in terms of inadequate progress) **and in every case where a referral is made for statutory assessment**, it would be expected that even those schools with significant SEN expertise would be making reference to specialists external to the school. Where a pupil is referred for statutory assessment the Assessment Statementing and Review Service will require evidence of the extent of the involvement of **external** specialists and how the school has put any advice into practice.

What then do the descriptors *School Action* and *School Action Plus* describe?

From the above it will be clear that the terms *School Action*, *School Action Plus* cannot be used as a shorthand to describe the *severity* of a pupil's special educational need. However, the terms do provide some clear definitions which will apply to all schools and will provide the basis for LA monitoring of whole-school performance.

Pupils in receipt of SA will

- have failed to make adequate progress for at least two terms whilst experiencing the normal curriculum provision made for other pupils of the same age
- have an IEP detailing
 - the provision which the school is making in terms of additional support strategies
 - materials and resources
- have set for them measurable targets enabling progress to be monitored
- have been the subject of and been involved in discussions between the teacher(s), the school's SENCO and the parents

Pupils at SA+ will

- have failed to make adequate progress for at least **four** terms whilst benefiting from the focussed support described in the IEPs for at least **two** terms
- have at least two IEP reviews detailing
 - the effect of the provision which the school made at SA.
 - the impact of the strategies identified in the IEP
- show objective evidence of the lack of progress for at least the previous **two** terms at *School Action*.
- be the subject of, and been involved in, discussions between the teacher(s), the school's SENCO, accredited external specialists and the parents
- be receiving regular intervention (i.e. assessment, monitoring, advice, teaching) from a specialist (or specialists) **external** to the school

Each of these features of SA and SA+ will provide evidence which the LA will be able to use to monitor schools' performance and the progress of individual pupils. In addition, the LA will be able to monitor, for example,

- the role of the SENCO
- the extent of relevant, specialist expertise available to the school from within the school's own staff or within the cluster
- criteria by which the school allocates an increased level of intervention from its own specialist expertise
- the number of pupils who access this increased level of specialist input
- the criteria which schools use to trigger the involvement of an external specialist (ie the school's own threshold for SA/SA+)
- number of pupils who have received an increased level of intervention beyond the minimum of two terms and do *not* proceed to SA+ (i.e external specialist intervention.)
- the number/percentage of pupils who receive *School Action* intervention and whose needs are then able to be met through normal provision.
- the allocation of funding
- schools' monitoring and record-keeping
- the effectiveness of IEPs.

Quantifying the Provision.

School Action, *School Action Plus* do not define need; the concept of a graduated response requires that schools "need to consider, for each pupil with special educational needs, what form of action is most appropriate. This means looking at pupils' progress in the round; their attainments and difficulties as well as their successes and strengths. It will involve assessing the strategies that are currently being used to meet the pupil's learning

needs and how these might be made more effective.” (Toolkit 6, para6)

The SEN Toolkit (Section 6) sets out *strands of action* to assist schools as they call upon progressively more powerful interventions to meet increasing need or reduce the range, type and intensity of interventions as a child makes adequate progress. The Table below indicates the different forms of action available to schools on a continuum of intervention. Warwickshire endorses the use of this table as a basis when setting out an overview of the ways they meet pupils’ special educational needs. Reflecting that thresholds of *School Action* and *School Action Plus* will vary from school to school (as explained above) the table does not make reference to these descriptors.

In addition to the *strands of action*, the LA endorses the principles contained in the publication “SEN Thresholds – Good Practice Guidance in Decision-making on Identification and Provision for pupils with Special Educational Needs”. This was published in draft form by the DfEE in 2000 (bound with the Draft SEN Code of Practice). In using the SEN Thresholds, schools should read the case studies as exemplifying the link between the lack of progress at different levels of need and the need for increased levels of intervention. In some schools the higher level of intervention referred to in the case studies as *School Action Plus* may, in some schools, be support provided by an appropriately qualified and experienced specialist on the staff of the school or from within the cluster (and therefore still be *School Action*).

Assessment & planning	Grouping for teaching purposes	Human resources	Curriculum and teaching methods
<p>Assessment by class or subject teacher and SENCO; continuous assessment and curriculum assessments may be supplemented by standardised and/ or diagnostic tests. IEP setting 'SMART' targets (some may be shared with other pupils in a Group EP). Regular reviews. Parents informed & may be involved in supporting targets in the home. External services (specialist support service, educational psychologist) undertake specialist assessment leading to a more specifically-focused IEP. Parents involved in supporting targets in the home. Involvement of both education and non- educational professionals in assessment and planning. Longer- term plan for provision, supported by shorter- term IEPs. Parents involved in both long and short- term planning.</p>	<p>Pupil based in the ordinary classroom. Grouping strategies used flexibly within the classroom. Out- of- hours learning opportunities (homework clubs, lunchtime clubs etc.) provided where possible. Pupil based predominantly in the ordinary classroom, supported through flexible grouping strategies. Access to individual or small group tuition to support IEP targets, delivered within the classroom, through limited periods of withdrawal and/ or through out- of- hours provision. Pupil works predominantly in small groups or on an individual basis in the ordinary classroom, in a withdrawal situation, in a resource base and/ or through out- of- hours provision.</p>	<p>Main provision is by class or subject teacher with SENCO involved in assessment and planning rather than teaching. Pupil support used routinely and some adult support may be provided on an ad hoc basis, (e. g. if Teaching assistant or parent helper already working in the classroom). Specialist teachers or educational psychologist may be involved in providing advice on strategies. Main provision is by class or subject teacher. Pupil support used routinely in the classroom, with some limited targeted adult support provided by Learning Support Assistant (LSA) or other adult. Individual or small group tuition provided by LSA (under guidance), specialist teacher (or other specialist) and/ or SENCO. Pupil support used routinely in the ordinary classroom with sustained targeted support provided by LSA or other adult. Individual or small group tuition is provided by LSA (under guidance), specialist teacher (or other specialist) and/ or SENCO.</p>	<p>Emphasis on differentiation for curriculum access. Possibly some specific reinforcement or skill- development activities in support of IEP targets. Emphasis on increasing differentiation of activities and materials. Some individual programming to support specific targets. Access to ICT and to specialist equipment and materials as necessary. Increasingly individualised programme (though within the context of an inclusive curriculum). May involve the use of specialist teaching and/ or communication techniques, supported by appropriate equipment and materials. 2</p>

Table: Strands of Action to meet special educational needs.

Pupils may be at different points on each Strand at different times, in different contexts or during different lessons.

A copy of the Pre-School Handbook should be inserted here.

Warwickshire Special Schools

Warwickshire's special schools are involved in a programme of reorganisation which has been ongoing for a number of years and is continuing. The programme has reached different stages in the five areas of the County. Current special school provision is as follows:-

Central Warwickshire

Ridgeway School in Warwick provides for pupils aged 2 – 11, across the broad spectrum of SEN, including an assessment nursery. Ridgeway is a Beacon School.

Round Oak School and Support Service in Warwick provides for pupils aged 11 - 19, across the broad spectrum of SEN. The school also has an outreach support service which is purchased by a number of local mainstream schools.

East Warwickshire

Brooke School in Rugby provides for pupils across the broad spectrum of SEN, from profound and multiple learning difficulty to complex moderate learning difficulty across the 2-19 age range, including an assessment nursery.

North Warwickshire

Woodlands School in Coleshill provides for pupils across the broad spectrum of SEN, from profound and multiple learning difficulty to complex moderate learning difficulty across the 2-19 age range, including an assessment nursery.

Nuneaton and Bedworth

Exhall Grange School in North Coventry provides for pupils with visual impairment and physical difficulties as well as a range of other complex SEN, across the 2-19 age range, including an assessment nursery. Exhall Grange is a County-wide provision and is a Beacon School.

Oak Wood Primary and Secondary Schools in Nuneaton provide for pupils across the broad spectrum of SEN, from profound and multiple learning difficulty to complex moderate learning difficulty across the 2-19 age range, including an assessment nursery.

South Warwickshire

River House School in Henley-in-Arden is a county-wide provision for boys with emotional and behavioural difficulties across the secondary 11-16 age range.

Welcombe Hills School in Stratford-upon-Avon provides for pupils across the broad spectrum of SEN, from profound and multiple learning difficulty to complex moderate learning difficulty across the 2-19 age range, including an assessment nursery.

Admissions and Inclusion

Warwickshire is committed to maintaining its special schools, subject to a continuation of the reorganisation programme.

The LA fully endorses the principles of the SEN Code of Practice (DfES 2001) that pupils with SEN have a right to a mainstream school place, providing this is in line with parents' wishes, is compatible with the efficient education of other pupils and is an efficient use of LA resources. However, the LA considers that special schools will continue to have a vital role to play in the process of inclusive education, by providing a specialist education which will maximise inclusive opportunities on leaving school for a very small minority of young people with severe and/or complex learning difficulties.

Our special schools also aim to work in partnership with mainstream schools by promoting dual placement opportunities for their pupils whenever possible and providing specialist advice to mainstream schools when necessary.

It is envisaged that our special school pupil population in the future will constitute approximately 0.7% and 0.9% of our primary and secondary pupil populations respectively. All pupils placed in special schools must have statements of special educational need, (unless they are under assessment, for example in the nurseries), and decisions about special school placements will always be made by the LA's Assessment, Statement and Review Officers, through placement panels.

Designated Specialist Centres

Warwickshire has identified a number of schools which have particular expertise in certain special educational needs and disabilities and which reserve places for pupils from other mainstream schools.

The Pupil Reintegration Unit (PRU)

The Warwickshire Pupil Reintegration Unit is a single school with a single management structure but is based in four areas of the county. It takes pupils who are permanently excluded and those at risk of exclusion. In response to statutory requirements, from September 2002 all permanently excluded pupils will receive full-time educational provision.

The Warwickshire PRU aims to

- establish the PRU as a school that makes a difference to pupils' lives by enabling them to learn the emotional, social, behavioural and academic skills they will need to succeed in the centre or at school and in the wider community in order to:
- help them begin to identify and move towards positive educational and vocational goals
 - through providing a safe, secure and welcoming learning environment within our centres
 - where they can experience a relevant, broad and balanced curriculum differentiated to their need
 - with staff who offer them positive models and processes to help them manage their own behaviour
 - and who work in partnership with parents, carers and others involved
 - as well as who offer the understanding, support and challenge that will encourage pupils' feelings of value, self-worth and increased self-confidence
 - especially as they make the transition back to school or to further education, training and the world of work.

The seven main targets identified in the PRU Development Plan are:

- To establish the PRU as a school that makes a difference to pupils' lives
- To ensure every centre has sufficient resources i.e. staffing, premises and curriculum resources, to enable pupils to receive a full-time curriculum which is delivered in a challenging, engaging and safe way within a high quality learning environment
- To support staff through professional development, regular review and workable systems as they work to achieve the aims of the PRU
- To work in partnership with all involved groups to achieve its aims
- To provide a curriculum that is broad and balanced and is differentiated to meet the individual needs of every pupil
- To ensure all teaching is satisfactory or better
- To support pupils gain in self-confidence, independence, motivation and responsibility for their work and behaviour during their time in the PRU.

Schools should seek to meet the needs of pupils who are at risk of exclusion through a Pastoral Support Plan (PSP). The PSP is a precise behaviour programme representing the school's attempts to do all that is realistically possible to maintain the child in the school.²

² LABSS and the PRU are working together to develop guidance and training for schools on generating effective PSPs to ensure that more consistent criteria are operating in schools and the PRU. This will allow progress to be measured along a comparable scale. Such a scale might be found in the QCA/Birmingham University Behaviour Scales.

The PSP documentation also provides part of the baseline information required for referral to the Pupil Reintegration Unit. Further information, required at the point of referral, is the baseline information on attendance and attainment as set out in the statutory DfES Key Stage Transfer Form.

This PSP is in two parts. Part 1 provides the documentation needed to operate a PSP in school. This is the main purpose of the PSP. Part 2 need only be completed if a referral is made to the Area Behaviour Management Panel or the Core Group. It evaluates the work undertaken in school (as set out in Part 1) and records further information required by the PRU. It also aims to keep the process as simple as possible.

The Pastoral Support Programme forms have been distributed to schools but are also found in the section on Planning for Individual Children.

In all matters relating to the PRU, reference should be made to the detailed operational policies and guidance which are set out in the section on Exclusion in this Reference File.

Entrance/Exit Criteria for PRU Pupils

A) Those at risk of exclusion:-

- 1) All pupils must be classified as School Action Plus.
- 2) All pupils must have an active PSP which has been in operation for at least two terms. The only exception to this are children in crisis, some looked after children and pupils newly arrived in the area with a high level of need.

The seven secondary schools with Learning Support Units should provide a minimum of an additional two terms support before making a referral.

- 3) To make a referral schools must send the PSP with both Parts 1 and 2 completed to the Exclusions Assistant by the fixed dates. The submission should also include IEPs and outcomes of reviews.
- 4) Referrals will be submitted to the Area Panels.
- 5) If the PRU is the recommended outcome, the Panel must decide on the time allocations and the pupil remains on the school roll as well as being on the PRU roll.

Suggestions of time allocations:-

- Remain in school 100% of the time with PRU input.
- Remain in school 50% of the time and attend the PRU 50% of the time.
- Decide on an arrangement that meets the needs of the pupil and the school, but with the school being responsible for some teaching commitment.

The school will retain “ownership” of the pupil with the PRU only providing full-time education in exceptional circumstances.

- 6) At the time of entry to the PRU specific review dates will be identified. Each school must nominate a key person for PRU staff to liaise with regarding progress. Detailed records will be maintained by PRU staff in relation to targets, teaching package, review dates, progress made.

- 7) Pupils will gradually be
 - re-integrated back into schools full-time
 - reviewed for ongoing increased/decreased PRU input.
- 8) At the end of a reintegration package if the pupil has been successful in school the PRU involvement will cease after six weeks of unsupported integration. This will be reported to the Panel.
- 9) If the pupil has been at the PRU for six months and the reintegration has not been successful the pupil should be referred to the EBD Panel chaired by the Assessment, Statementing and Review Service. If it looks as if the pupil will not be ready for reintegration and does not have a statement then the PRU will refer the pupil for statutory assessment.

Primary Aged Pupils

Wherever possible the pupil should receive PRU support in their named school. Only in exceptional circumstances will a pupil at risk of exclusion be removed from the school setting.

B) Pupils that have been permanently excluded

- 1) Following the Governors Discipline Committee the PRU will initiate contact with the parents/carers anticipating the need for admission. Initial assessment will begin during the appeal period.
- 2) After the appeal period the Exclusion Assistant will refer the pupil to the next appropriate Area Behaviour Management Panel. The outcomes of the Core Group discussion will be retrospectively endorsed.
- 3) Following assessment the PRU will report to the Area Behaviour Panel with recommendations that could include:-
 - immediate integration into a mainstream school
 - supported immediate reintegration into a mainstream school
 - PRU support full-time.The Panel should identify a school that the pupil will attend following a successful period at the PRU. This possible placement will be reviewed regularly.
- 4) The SEN Inclusion Officer will work with the Panel, PRU staff and Area Education Officers discussing the possible placement with the relevant Headteacher. This is particularly important in Areas where not all the Headteachers attend the Panel. I.e. Primary Panels and Secondary Northern Panels

When the pupil reaches the agreed target for attendance, attainment and behaviour the PRU will recommend to the Panel that either PRU support stops in the case of an integration package or that the pupil starts an integration package into a mainstream school. The PRU will use the QCA/Birmingham Behaviour Scales to assess all its pupils.

- 5) The PRU will support reintegration into schools for up to six weeks. Once a pupil has had six weeks of unsupported time in school the pupil will be taken off the PRU roll.
- 6) If the pupil subsequently requires further support in the view of the school then a re-referral will be required to the Exclusion Assistant.

IT MUST BE REMEMBERED THAT THE PRU IS A REVOLVING DOOR AND IS NOT A DESTINATION.

Children Educated Residentially

1. Introduction

Warwickshire County Council and Warwickshire Health Authority are committed, wherever possible, to meeting the special educational, health and care needs of all children in a mainstream school or through day provision in the local community. From time to time, however, it is not possible to meet those needs locally and in those instances, the LA will seek jointly with Social Services and Health to find appropriate residential provision. In making decisions about residential provision all of the needs of the child are considered, not just their educational needs in isolation, but also their social, health, physical and emotional needs.

The terms of any residential provision vary from child to child: some board weekly, returning home at weekends; some board for 38 weeks a year, returning home every half-term; others board for longer periods.

Full details of the County Council's policy and procedures in relation to children in residential care and education are contained in the document Joint Protocols on the Residential Care, Education and Health of Young People. This document can be accessed via the authority's electronic browser or a paper copy can be obtained from the Assessment, Statementing & Review Service. The Protocols' document sets out the following in detail:

- Warwickshire's County Council's current policies on responsibilities for residential placements and how these relate to "The Framework for the Assessment of Children in Need and their Families".
- Jointly agreed procedures for making placements
- Multi-agency joint funding arrangements
- Arrangements for monitoring the safety and welfare of children in residential placements
- Systems for assuring the quality of what is provided in residential establishments for the education and care of children
- Arrangements to enable children and their parents/carers to comment upon or complain about the residential provision.

These Protocols and procedures attempt to harmonise the separate work and responsibilities of each agency under:

- The Children Act, 1989
- The Education Act, 1996
- "The Framework for the Assessment of Children in Need and their Families", 2001

They are also written in the light of:

- People Like Us, the Utting Report, 1997
- Lost in Care, the Waterhouse Report, 1999
- Quality Protects, 2000
- SEN Code of Practice, 2001
- SEN Toolkit, 2001

2. How are decisions made?

Consideration of residential provision for a pupil with a Statement of SEN may arise via the following routes:

- i) Professionals identify through the annual review / statutory assessment process that a pupil's needs are unlikely to be met in local day provision.
- ii) Either through the annual review or statutory assessment process, parents request that the LEA name a school with residential provision.
- iii) Social Services Department identifies that it is struggling to make provision locally.

Before the Joint Protocols are initiated by the LA, it is anticipated that the Educational Psychology and the appropriate Support Services will have been fully involved firstly, in pursuing alternatives to out of County / residential provision and, secondly, in the decision to seek a residential placement.

In respect of pupils with Behaviour, Emotional and Social difficulties, it is expected that:

- i) The guidance in the Behaviour Support Plan (sections 8 & 10) will have been followed,
- ii) The school's Educational Psychologist will have consulted the Specialist EP for pupils with EBD
- iii) The pupil will have been discussed at a Placement Identification Meeting (previously called the EBD Placement Group).

In respect of pupils with communication difficulties and specific learning difficulties, it is expected that the respective Specialist Educational Psychologists will have been fully involved firstly, in pursuing alternatives to out of County / residential provision and, secondly, in the decision to seek a residential placement.

If professionals conclude that local provision may no longer be appropriate or education in a residential setting is essential, the Joint Protocols will be initiated and parents will be invited to consider a number of maintained and/or specialist schools approved by the Secretary of State for Education. A list of these schools can be obtained from the Assessment, Statementing & Review Service on 01926 412828.

A summary of the Joint Protocol main processes is set out below. Which scenario process is followed is dependent upon whether Social Services are actively involved with the child and family.

Whilst the LA endeavours to meet with a parents' preferred choice of school, before making a final decision, the LA is required under the 1996 Education Act to consider the following:

1. Is the school appropriate to the age and needs of the child?
2. Would placement at the school be compatible with the interests of other children already in that school?
3. Would placement be an efficient use of the LA's resources?

In determining whether placement at the school would be an efficient use of the LA's resources, we would not only take into account the cost of the school place, but also cost of travel to and from the school.

If this is the first time the local authority has used a particular school, in addition we would want to:

1. Check the school is approved by the Secretary of State for Education.
2. Obtain a copy of the school's last Ofsted (Office for Standards in Education) inspection report to see what comments have been made about the standards of teaching and learning.
3. Obtain a copy of the last Social Services' inspection report to see what comments have been made about the standards of care.
4. Ask the school to fill in a detailed questionnaire about existing pupils, staffing, the curriculum, care facilities etc.
5. In order that we may consider questions in relation to value for money, we would look at the school's fees and obtain a quotation from our transport section.
6. If necessary, we would ask the SEN Inspector and the Principal Education Social Worker to inspect the school. Inspections will always happen before placement in respect of schools not approved by the Secretary of State and, in the case of approved schools, which have not been used by the authority before, inspections will be carried out within a term of the child's placement.

Very occasionally the LA and the child's parents may conclude that the child should be placed in a non-maintained/independent school, which is not approved by the Secretary of State. In these instances the LA is required to seek the Secretary of State's consent to the placement before being able to name that school in the child's statement. Before seeking the Secretary of State's consent the LA will ask the SEN Inspector and the Principal Education Social Worker to inspect the school.

3. Children placed by Social Services or the Courts

Where a child is "looked after" by the local authority and placed in a community home with education or with an independent fostering agency providing education, then the LA is relieved of its duty to arrange the provision specified in the statement. Although not statutorily required, the LA will continue to monitor the child annually through the Looked After Reviews. The LA will be represented at those reviews by the Independent Reviewing Officer, chairing the review meetings, and an Educational Psychologist. The LA will ensure that from year 9 onwards a Transition Plan is in place.

Where a young person with a statement is detained under a court order, the LA is no longer responsible for them and is under no duty to maintain their statement. The LA will nevertheless be represented at reviews, usually by an Educational Psychologist, in order to assist with planning for their return to local provision.

4. Supporting a family considering residential placement for their child

Schools and other professionals, who find themselves in the position of supporting a family considering residential placement for their child, need to be aware of the various sources of support families can access.

The LA publishes a leaflet for parents and carers. A copy of this leaflet can be obtained from the Assessment, Statementing & Review Service (ASRS) on 01926 412828.

If parents are visiting prospective schools, it may be advisable to suggest parents visit on their own first without the child, to avoid causing anxiety or raising expectations. Parents can find it helpful to ask someone to accompany them on visits e.g. a friend, a representative of the Parent Partnership Service, a member of staff from the child's current

school or the child's Social Worker or Befriender. Similarly when the child makes a visit to a prospective school, it is important to consider who the child would like to accompany them.

5. Pupil Participation in the planning, decision making and preparation for residential schooling

Every effort should be made throughout the process to ensure the child contributes to the discussion and the decision making about their future. The child will need clear and accurate information about the options available and the consequences of those options. Schools have an important role to play in terms of identifying a member of staff whom the child knows well, trusts and relates to. Schools also need to be aware of other adults pupils may be in contact with, for example, from Health, Social Services or other agencies, who may offer support. The extent of the pupil participation will depend not only on their age and the severity of their needs, but also on the quality of relationships and the support offered. Participation may be facilitated through printed, video or taped information and other forms of augmentative communication systems. Consideration may also be given to asking a representative from the Coventry & Warwickshire Children's Rights Project to work with the child to ensure they are fully involved in the process and to help elicit their views.

6. Sources of help for parents and pupils:

- Assessment, Statementing & Review Service, telephone 01926 412828. The ASR Service will have details of the specialist schools approved by the Secretary of State for Education.
- Inter-Cultural Support Service (ICSS), telephone Jasmine Nagra on 01926 335132.
- Social Services, telephone 01926 410410 and ask for the Children's Team covering the child's home address.
- Coventry & Warwickshire Children's Rights Project, John Murphy, 138 Foleshill Road, Coventry, CV1 4JJ, tel: 024 76 257733.
- Warwickshire Parent Partnership Service, telephone Sue Robus on 024 76588440
- Connexions Service, telephone Jean Morgan or Liz McKenzie on 024 76 312846.

7. The role of Social Services prior to placement

We recognise that a child's move to residential school will completely change the life of the child and the family. Therefore, before a final decision is made, if Social Services have not previously been involved with the child, the LA will request "an assessment of need" from the Social Services' Manager in the area in which you live. The assessment will look at the impact of the residential placement on the child and family, look at how the family will stay in contact while the child is away from home and consider if there is any need for ongoing support to the family. The completed assessment will be then sent to the Local Authority within six weeks. If the child already has a Social Worker then this assessment will not be necessary as Social Services will already be contributing towards the planning and preparation for the move to residential schooling.

The policy document "Joint Protocols on the residential care, education and health of young people" contains further details of the processes leading up to placement in a residential school (see Appendix 1 for a summary).

8. Preparation for placement in a residential school

All residential schools vary in how they reach decisions about offering places to new pupils. Some like to visit the family at home or ask to observe the child in their current school. Others offer a period of assessment at the school to help them reach a decision. Whichever process the school uses, it is important that the child is well prepared for what will happen. Once again, it is important to consider who might be best placed to support the child at this time.

In the past we have also been able to arrange for parents to talk to and even meet with other families in Warwickshire, who have children at residential school. Talking to another parent who has been in a similar position can help to answer questions, and help them and the child to know what to expect. Schools and other professionals who think this may be helpful, should contact the Assessment, Statementing & Review Service on 01926 412828.

9. What costs is the LA responsible for?

If placement is agreed, the LA will pay for the cost of the child's school place, any additional special needs' tuition, the residential fees and home to school transport. Parents sometimes want to transport their child themselves and are paid a mileage allowance to cover petrol expenses.

It is important to stress the LA is not responsible for the costs related to school uniform, music tuition, extra-curricular activities, pocket money etc. Neither is the LEA responsible for transport to enable children to attend medical appointments at home. Parents are asked to make routine appointments during school holidays. Residential schools have their own arrangements for dealing with and contacting parents in the event of medical/dental emergencies.

10. How are placements monitored?

Day to day monitoring of the child's placement falls to the Head teacher of the residential school, however, the LA continues to oversee the child's provision and statement through the statutory Annual Review process.

Annual Reviews of Pupils in Residential Provision

The Authority is represented at the Annual Review by:

- The Authority's Independent Reviewing Officer, who chairs the meeting and submits a report to the LA
- An Educational Psychologist or, in the case of pupils with Hearing Loss, a member of the LA's Disability, Illness, Sensory & Communication Support Service
- If the placement is jointly funded with Social Services and/or Health, or preparations are being made for the pupil's return to Warwickshire, then representatives from these agencies may attend.

Other people who attend the review meeting include:

- The parents and child.
- Representatives from the school, usually the Head or Senior Manager, the class teacher, the child's keyworker in school.
- For pupils in year 9 or above, a representative from the Connexions Service.

Through the annual review process, the LA will monitor the effectiveness of the child's school placement and ensure the specialist provision they are receiving remains appropriate. The annual / transitional review process will also be used to consider whether a point has been reached when provision closer to home should be explored, for example, if a pupil is approaching the end of a Key Stage.

Transition Planning

Most pupils return to educational provision, work or work-based training in Warwickshire at the age of 16. A small number of pupils with significant needs or highly specialist requirements continue in residential schools until they are 19. A small number of pupils go on to a specialist residential college either post-16 or post-19, funded by the Learning & Skills Council. In considering whether to fund a residential school or college placement, the LA or the Learning & Skills Council will consider whether the course the student is hoping to study is available locally to their home and whether local provision is able to meet their level of need. Issues like this are explored through the drafting and review of the young person's transition plan and will involve the child, their parents and any professionals involved with the child e.g. their Connexions Personal Adviser, their Social Worker etc. Initially the Connexions Service local to the child's residential school works with the child. However, there is often a need to involve the service local to the child's home as well, and, for that reason, appointments with Advisers in Warwickshire can be made during the school holidays.

Quality Assurance

The Out-County Group meets termly and, as a standing item on the agenda, collects information about the overall quality of residential placements. In addition the Alerts' Group, comprising the Principal Education Social Worker, the Independent Reviewing Officer, the Children's Partnership Manager and the Manager of the Assessment Statementing & Review Service, meets quarterly to review any ongoing concerns about residential establishments raised by Warwickshire staff attending reviews, by the West Midlands Child Care Consortium or by the DfES, where Secretary of State approval has been withdrawn or may be withdrawn.

11. The Role of the Educational Psychologist

The main purpose of the Educational Psychologist (EP) is to promote the psychological and educational development of the current population of Warwickshire pupils placed out of the county, providing a quality service to pupils, schools, and families/carers.

The post is shared between 3 people, equivalent to 1.1 full time equivalent post: 0.5 to pupils with emotional, behavioural and social difficulties, 0.5 to pupils with learning difficulties/neurological disorder, 0.1 to pupils with communication difficulties. This work is managed by the Principal Educational Psychologist.

The Educational Psychologists carry out their role by:

- Attending Annual Reviews and ensuring that the Annual Review process is a meaningful procedure that incorporates an evidenced review of need, progress and placement.
- Monitoring, measuring and evaluating pupil progress.
- Assessing the effectiveness of the support provided by the school.

- Assisting LA liaison with Social Services in particular, in respect of 'looked after' children and with Health as appropriate.
- Linking with the Connexions' Service to support planning of further/continuing education for pupils.
- Achieving value for money through improved quality of information about individual establishments.
- Giving pupils and parents/carers the opportunity to have their views and concerns heard so that appropriate action may be taken.

12. The role of the Coventry & Warwickshire Children's Rights Project

The Coventry & Warwickshire Children's Rights Project offers support information and help to children and young people living away from home. The service has independent advocates who can visit young people placed in residential schools and out of county placements. Young people are able to contact the service anytime.

It is important from time to time that young people can access someone not involved in their immediate care. For example, someone who is able to offer independent support and advocacy if there are problems, make sure that a young person is listened to, speak with a young person in private if they need to and help stop things which should not happen.

The Coventry & Warwickshire Children's Rights Project works closely with the Independent Reviewing Officer and Educational Psychologists to ensure that if there are areas where a young person may need support or advice, an advocate can become involved to assist that young person. The Service can also help facilitate a young person's participation in the period leading up to decisions being made about placement in a residential school.

Contact is welcome from parents, carers and schools for advice and information. Requests for a visit needs to be shared with the young people involved.

For further information please contact John Murphy, Coventry & Warwickshire Children's Rights Project, 138 Foleshill Road, Coventry, CV1 4JJ, tel: 024 76 257733.

13. Concerns or complaints about a child's education or care in a residential school

The Parents' Guide to Children in Residential Education and Care details what parents should do if they have any concerns or complaints about their child's education or care.

- ◆ Most concerns can be resolved by talking to the Head teacher of the child's school or to the child's keyworker in school.
- ◆ All schools should have a procedure for dealing with complaints. Parents are encouraged to ask for a copy of the school's procedures if they wish to make a formal complaint. We also ask parents to send the LA a copy of any correspondence so that we are also kept informed of concerns. Correspondence is then sent to Jane Carter, Manager, Assessment, Statementing and Review Service, County Education Department, 22 Northgate Street, Warwick, CV34 4SP.
- ◆ Serious concerns about the safety or welfare of a child should be reported to the Social Services local to the school without delay.
- ◆ Parents are also made aware of the County Council Complaints Procedure if they are unhappy with any aspect of the LA's Service.

Summary of Joint Protocols Process

There are 4 likely scenarios surrounding the placement of a child or young person which may lead to consideration of a residential placement, the first two apply to pupils with Statements of SEN. A fifth scenario is planned which will outline the process to be followed when consideration is being given to a young person returning to local provision.

Scenario A (Education Lead)

- The child is the subject of a statement of special educational needs
- The LEA has determined that it is unable to meet his/her educational needs as identified through formal assessment from within existing in county provision
- The LEA needs to determine the impact of residential provision on the child and their family life
- There is no current involvement from SSD.

In this scenario the LEA will have the role of co-ordinating agency. The LEA will consult the Health Authority if there are identified health needs that may justify a residential school placement. The flowchart overleaf describes the process.

An assessment of needs (defined by the Children Act 1989 and within the Social Services Priority Criteria) will be requested from the Social Services Service Manager covering the area in which the child lives. The request will be accompanied by any relevant information and documentation held by the LEA. The completed assessment of need will be returned to the Service Manager with a copy to the LEA and the Children's Partnership Manager within 6 weeks.

The assessment is fundamentally different from that which the LEA will have requested from the SSD as part of the statementing process, because the child's move to residential care will completely change the life of the child and their family. The assessment will include comment on the impact of residential placement upon the child, will address issues of contact between the child and their family, and if there is any need for ongoing support to the family.

If there is a need for ongoing support, a care plan should be drawn up and a copy authorised by the Team Manager and passed to the Service Manager and a copy sent to the LEA Officer together with the assessment report.

If, following the assessment by the SSD, the criteria for a residential placement by the SSD is also met, a planning meeting (described in Scenario B) should be called. The procedure described in Scenario B will be followed with the production of the assessment conclusion to budget holders and Funding Panel.

Long Term support, including attendance at residential reviews, would be provided by Social Services in those cases where a care plan has been agreed for the child.

Scenario B (All Agencies)

- The child is subject to a statement of special educational needs
- SSD have an active involvement with the child and the family
- There may be potential health needs
- A potential residential need has been identified by either agency in accordance with their existing criteria

The agency which identifies the potential for residential placement will convene and co-ordinate a multi-agency residential assessment planning meeting.

If the LEA first identifies the potential need, the LEA Officer will request the Service Manager for the area in which the child resides to send a representative to a multi-agency residential assessment planning meeting. The invitation will be sent to all relevant agencies and will be accompanied by any relevant information and documentation held by the LEA.

If the Social Work team first identifies a potential need, they will first seek the **agreement of the Service Manager** for the area in which the child resides that a multi-agency residential assessment planning meeting should be called. Once the Service Manager has agreed, the Social Work Team will invite the LEA Officer and other relevant agencies to a residential assessment planning meeting. The invitation will be accompanied by any relevant information and documentation held by the SSD. As only four LEA Officers and one person from Health cover the whole of the County, it is important that participants are consulted on availability well in advance of the meeting.

The meeting will agree actions to be taken, by whom, how and by when, to ensure a comprehensive assessment of need is completed. A date will be identified for a residential assessment conclusion meeting. Minutes of the residential assessment planning meeting will be circulated to those who attended the meeting within three working days and sent to the Service Manager.

The residential assessment conclusion meeting will be called to co-ordinate all the child's needs identified by each agency.

The co-ordinating agency will have the responsibility of completing the assessment conclusion report identifying the child's overall needs and within five working days sending copies to the relevant SSD Service Manager, LEA Officer and Health Authority representative, if appropriate and The Children's Partnership Manager.

The SSD Service Manager and the LEA Officer with budget holding responsibility (and where appropriate the Health Authority budget holder) will meet to decide whether residential care is appropriate, and if so, to agree in principle how long the placement should last. A copy of Part 'B' Assessment and Conclusion report is then sent to the Funding Panel. The financial responsibilities will be agreed at the Joint Funding Panel.

Scenario C (SSD Lead)

- The child is in care or is accommodated under the terms of the Children Act 1989
- AND**
- The child is identified by SSD under the terms of the Children Act 1989 as requiring residential provision
 - The SSD needs to identify the impact of residential provision upon the child's educational progress
 - The child does not have a statement of special educational needs.

In this instance SSD is the co-ordinating agency and the procedure is almost a mirror image of the level of support described in Scenario A.

The Social Services Service Manager for the area in which the child resides will contact the T.E.L.A.C. Officer requesting a report along with advice and support as to how the child's education is best maintained during the period of residential placement. In appropriate cases the Health Authority will also be invited to prepare an assessment. The request will be accompanied by relevant information and documentation held by the SSD and the LEA will respond within six weeks.

The issues to be addressed will include how the child's education will be affected by a period of residential placement, advice and proposals as to how this may be ameliorated. The report will make proposals about the level of support and Education representation at appropriate reviews, along with long term proposals for the child's eventual reintegration to mainstream schooling in Warwickshire after the period of residential placement. This stage may also include practical support through liaison with the host LEA in order to be assured that the child will be received appropriately.

If the SSD has concerns that a child may not be able to cope within the resources available to mainstream schools in the area of the residential placement, on either a short or long term basis, the Service Manager will be asked to agree that a planning meeting (described in **Scenario B**) should be called. This would occur if a child was extremely distressed and could not cope with a mainstream school for a time, or if the SSD had evidence to suggest that a more detailed assessment of the child's educational needs would be beneficial. This would be considered in consultation with the T.E.L.A.C. Officer who will then consider referral to the Assessment, Statementing and Review Service.

The LEA response will depend on the individual circumstances of the child, and may result in the preparation of a statutory assessment of special educational needs. While this is being carried out, the LEA may make appropriate short term 'Education Otherwise' arrangements for the child. If a child becomes the subject of a statement of special educational need, a change of placement may become necessary and this possibility should be built into the plans for the child.

Depending on the circumstances THE EDUCATION (Areas to Which Children Belong Regulations) 1996, it might be appropriate for the host LEA where the child is residing to conduct the assessment. If this is the case, Warwickshire LEA will inform the SSD and retain oversight of that process.

If the child becomes subject of a statement of special educational needs, the procedure described in B above will be followed with an assessment conclusion report to budget holders.

Scenario D (Health)

Residential treatment for Children and Young People with Drug Misuse Problems: Scenario D

This protocol scenario is to provide an **agreed multi-agency framework** for statutory and voluntary agencies in Warwickshire, when there are concerns that a child or young person under 18 may be in need of residential treatment for substance misuse problems.

The possibility that a child or young person may have needs which can **only** be met through treatment in a residential resource may be identified by a range of professionals involved in working with a child or young person and their family.

Any practitioner identifying that a child or young person may need residential treatment should initially **consult with their manager**, and agree that the protocol should be started.

That agency will then contact a specialist in the Substance Misuse Team to advise that a possible need for residential provision has been identified, and request that the specialist co-ordinate this process.

The Substance Misuse Specialist will then advise all relevant managers of service of the need for an assessment under this protocol. In all cases, this would include the Warwickshire Health Authority Drug Commissioner, and the Social Services Department Service Manager, and may include the Head Teacher or College Principal, a Local Education Authority Officer, the Connexions Service Manager, the Youth Offending Team Manager, the Careers Service, and the Children and Adolescent Mental Health Team.

Each service will nominate a representative to attend a multi-agency Residential Treatment Planning meeting, and to become part of the Assessment Team.

The Substance Misuse Specialist will then invite all the nominated people to a Residential Treatment Planning meeting, and will circulate any relevant information to all the invitees. The Residential Treatment Planning Meeting will be chaired by the Substance Misuse Specialist and will:

- Agree reports needed, who will provide them and by when,
- Arrange a date for a Residential Treatment Conclusion Meeting

The meeting will be minuted, and the minutes will be circulated to those who attended and to the Managers of services originally advised of the need within three working days.

A Residential Treatment Conclusion Meeting will follow and will be chaired by the Substance Misuse specialist. This meeting will:

- Pull together the assessment information about **all** the child's/ young person's needs and the young person's views about and motivation towards the residential treatment
- Make a decision as to whether these needs can be met in the community or **only** through residential provision
- If residential provision is agreed to be appropriate, the meeting will draw up a plan for this, and agree the arrangements for reviewing the plan
- Identify a key worker
- Agree proposals for funding arrangements to be presented to the multi agency Funding Panel
- Agree a proposed plan for reintegration once the residential treatment objectives have been achieved and contingency arrangements if treatment ends early.

Conclusion Report

The Substance Misuse Specialist will then have responsibility for completing the **Conclusion Report**, and circulating this to all attendees, Managers and Budget holders within 5 working days. The **Conclusion report** will be forwarded to the Administrator of the Children's Funding Panel for consideration at the next Panel meeting.

Access To Education For Children And Young People With Medical Needs.

Schools and the LA share responsibility for the education of pupils unable to attend school through medical needs. This policy statement:

- describes the pupils who come within its terms of reference;
- sets out the principles of good practice;
- clarifies the respective responsibilities of schools and the LA in providing education out of school, and
- suggests relevant considerations in planning for the earliest possible safe return to school

Schools and the LA will not consider the provision of education out of school for this group of pupils without appropriate medical authorisation of non-attendance.

This policy will usually apply to:

- pupils with severe or chronic forms of illness or ill health which result in significant periods away from school;
- pupils with serious mental health difficulties which result in significant periods away from school;
- pupils who suffer ill health through specific incidents such as road accidents or sports injuries which result in significant periods away from school;
- pupils with a condition which requires periods of hospital treatment interspersed with periods at home or in school, and
- pupils with life limiting conditions.

PRINCIPLES OF GOOD PRACTICE.

Pupils who are unable to attend school through ill-health can experience considerable disruption to their education. They can lose contact with their teachers and their friends. Continuity of education is important in itself but it can also play an important part in the process of recovering good health. Pupils who miss school through ill-health are entitled to an education which:

- provides the greatest possible continuity of access to a broad and balanced curriculum including the National Curriculum;
- meets the statutory duties and responsibilities of schools and the LA;
- is based upon partnership with parents³ and extended family;
- recognises the individual circumstances and needs of each pupil;
- is flexible in responding to the changing educational and health care needs of each pupil;
- reduces isolation by maintaining the maximum possible contact with friends and teachers in school;
- is co-ordinated through effective planning and review between parents, the school, the LEA and all relevant agencies;
- is efficient, suitable and cost effective taking into account local facilities, circumstances and needs, and
- is provided by teachers who have access to appropriate curriculum resources and ICT facilities, and who are supported by clear policies, guidelines, training and professional supervision.

Above all it is important to work towards the earliest possible safe return to school, taking into account the needs, wishes, concerns and circumstances of the pupil. It is important that the pupil feels listened to and involved in any plans formulated on his or her behalf.

School Responsibility.

A school retains responsibility for the delivery of a pupil's education for as long as the pupil is on the school roll. Pupils with medical needs must not be taken off the school register without the consent of their parents and prior consultation with the LA even after long absences arising from ill health. Some pupils may be too sick or unwell to do any schoolwork, but schools should not assume that pupils away from school because of ill health are unable to work. The school should ensure that:

- all non-attendance related to ill health is properly authorised and monitored by a relevant medical practitioner; and that
- advice and assistance is sought as appropriate from the School Health Service and /or the Educational Social Work Service.
- the right balance is achieved between encouraging pupils to study and recognising when they are not well enough to do so.

Schools must arrange for a teacher to be nominated to co-ordinate educational provision for each pupil unable to attend school because of medical needs.

'Education out of school' involves sending work home. The range and amount of work is a matter for discussion between the school and the parents taking into account the principles of good practice outlined earlier. Schools are not expected to provide home-based teaching. The nominated teacher must:

- consider the possibility of providing education out of school when a pupil has been absent for two weeks as a consequence of medical needs, or when there is a series of absences of one week or more;
- contact parents to discuss needs and make appropriate educational provision;
- make mutually acceptable arrangements with parents for the regular setting, supervision, marking and collection of work;
- co-ordinate the school's response by providing a suitable programme of work for the pupil in co-operation with class or subject teachers;
- consider with parents whether it would be appropriate for any member of the school staff to undertake a pastoral visit to home or hospital, or whether it would be appropriate to encourage school friends to write or visit;
- ensure that all relevant school staff are kept informed of developments and are clear about their responsibilities in providing and marking work;
- liaise with all relevant Education, Health or Social Service professionals, and
- maintain records of all pupils for whom the LA is providing education out of school.

The nominated teacher should refer to the LA in all circumstances when the total length of absence from school is expected to exceed 15 school days.

- Parents must give prior consent to the referral itself and to the LA seeking all relevant medical information and advice.
- Referrals must be made by the school. The LA will not accept referrals from parents or agencies (except in the case of sudden hospital admissions.)
- Referrals should be sent to the Specialist Service Leader for the Education of Children Out of school (ECOS) who will arrange for the LA to make provision as appropriate (Please see the referral form in Appendix 1)
- Schools can help the LA to respond promptly both by providing the earliest possible notification and by ensuring that the referral is completed in full.

- When considering the needs of pupils with mental health difficulties, the LA will consult with the Child and Adolescent Mental Health Services (CAHMS) either directly or through local area panels.

The nominated teacher may wish to consult the ECOS HELP LINE (01788 578343) for advice on making provision for pupils with medical needs.

LA Responsibility.

The LA has a statutory duty to make arrangements for the provision of suitable education for those pupils who, by reason of medical needs, may not for any period receive suitable education unless such arrangements are made for them. The ECOS service acts on behalf of the LA in this regard and will accept lead responsibility for co-ordinating provision when a pupil has been absent for 15 school days. ECOS will provide a teacher who will be responsible for:

- making contact with parents to discuss needs and arrange provision;
- consulting with the school to provide a co-ordinated programme of suitable work for the pupil at home. This may include personal teaching at home together with access to the National Curriculum through the IRIS On-line Learning system. It may be appropriate to consider attendance at a local base;
- maintaining a portfolio of work and accurate educational records which will be available to support the pupil's eventual return to school, and
- attending review meetings every half-term.
- **The school retains overall responsibility for as long as the pupil remains on roll. This responsibility will be demonstrated by:**
- providing baseline assessment information and curriculum work plans for all National Curriculum subjects at the point of referral and every term;
- making books and materials available on loan as appropriate;
- making arrangements for SATs, examination entry fees, careers and work experience placements as appropriate;
- ensuring that the parents, the school and all relevant agencies are involved in a regular cycle of planning. This multi-agency review will consider the views of the pupil and the parents as well as taking into account all the professional advice on education and health care needs;
- ensuring that teachers in school are kept in touch with developments (including the pupil's likely return date if known);
- checking that the parents of the pupil are kept fully informed of all the usual opportunities for parental involvement in the life of the school;
- deciding, in consultation with parents, whether it would be appropriate for a member of the school staff to undertake a pastoral visit to the pupil at home or in hospital, and
- considering ,in consultation with parents, whether it would be appropriate to encourage school friends to make contact with the pupil at home or in hospital

When a pupil remains on a school roll but receives education otherwise than at school for a period greater than one school term, the LA will require the school to make a contribution towards the financial cost of provision.

The LA has a statutory duty both to make provision for all pupils whose home address is in Warwickshire and to meet the costs of all hospital teaching services whether provided in Warwickshire or elsewhere.

The LA will provide free transport for pupils in temporary need because of illness or injury in circumstances where parents are in current receipt of income support or income based job seeker's allowance, or when the pupil is entitled to free transport under the LA's standard transport policy.

It may be necessary in exceptional circumstances for the LA to undertake a statutory assessment or re-assessment of a pupil's needs if his or her circumstances and special educational needs have changed by reason of long-term illness or as a consequence of a deterioration in his or her condition. The SEN Code of Practice gives guidance on the criteria for statutory assessment.

Planning A Safe Return To School.

It may not be easy to return to school after a protracted period of ill health. The school, supported by parents, ECOS, the Connexions Service and all agencies, must have regard to a range of relevant considerations in making detailed personal education and care plans. These should include:

- listening carefully to the wishes, feelings and concerns of the pupil and his or her parents;
- confirming the medical advice that the pupil is fit to return to school;
- considering the educational implications of medical advice about the pupil's medical needs. Schools should consult Circular 14/96 " Supporting Pupil's with Medical Needs in School" which provides practical guidance on drawing up a written health care plan to complement an Personal Education Plan (PEP) if this is necessary;
- deciding whether flexible part-time attendance may be an effective starting point;
- devising an PEP to help the pupil to gradually catch up with a range of schoolwork without undue pressure. The first priority is for the pupil to be able to return to school with confidence. The Headteacher has authority to make a temporary exemption from the National Curriculum if necessary.
- reviewing whether extra support is needed from the SEN or Learning Support team in school;
- making plans to inform friends and classmates that the pupil is returning to school and arranging time for re-introductions as appropriate, and
- considering whether the pupil requires any special pastoral support plans during the early stages of returning to school.

When a pupil returns to school after a long-term absence through medical needs there should be definite plans for thorough monitoring and review. All Services and Agencies must be clear about their respective responsibilities and all should continue to attend the review meetings until the pupil is safely re-established in school.

School Referral Process

The nominated teacher should inform the LA in all circumstances when the total length of absence from school is expected to 15 school days.

The nominated teacher should:

- provide parents with a photocopy of the information sheet which is enclosed with this policy on pages 9 and 10;
- arrange for parents to sign the school referral form;
- complete the referral form by including all the information which is requested;
- send the form to the ECOS office.

The LA is unable to respond to requests received directly from parents or other agencies. Any such requests will be redirected to the school so that the nominated teacher can decide whether a referral is appropriate.

What happens next?

ECOS staff will provide education out of school as soon as appropriate medical authorisation of non-attendance is received. Schools should continue to send work home while the LA is

waiting for medical advice. As soon as non-attendance is medically authorised ECOS will contact the school and parents of the pupil to make immediate arrangements to discuss suitable provision.

Please note.

Schools are required to obtain medical authorisation before submitting the referral form. All sections of the form must be completed. An incomplete form will be returned to school. ECOS staff cannot begin an effective and relevant teaching programme without information on pupil attainment and programmes of study.

Information For Parents.

Schools and the LA share responsibility for the education of pupils unable to attend school through medical needs. We want to work together in partnership with you. When the total length of absence from school is expected to exceed 15 school days the LA may be able to help. ECOS staff, acting on behalf of the LA, will provide education out of school as soon as appropriate medical authorisation of non-attendance is confirmed.

Please make arrangements to sign the school referral form and provide relevant contact information so that the School can seek information and advice as quickly as possible.

Pupils who are unable to attend school through medical needs can experience considerable disruption to their education. They can easily lose contact with their teachers and their friends. Continuity of education is important in itself but it can also play an important part in the process of recovering good health. Pupils who miss school through medical needs are entitled to the greatest possible continuity of access to a broad and balanced curriculum including the national curriculum.

Your school retains overall responsibility for the education of your son or daughter as long as they remain on the school roll. You will be given the name of a teacher at your school who has been nominated as your main contact person during the time when your child is unable to attend school. This teacher will:

- ensure that you are invited to a regular cycle of planning and review meetings which will usually take place every half-term. These meetings will consider the views of the pupil and the parents as well as taking into account all the professional advice on education and health care needs;
- check that you are kept fully informed of all the usual opportunities for parental involvement in the life of the school;
- consult you to consider whether it would be appropriate for a member of the school staff to undertake a pastoral visit to your son or daughter at home or in hospital, and whether it would be appropriate to encourage school friends to make contact at home or in hospital.
- provide oversight and advice to ECOS staff on appropriate national curriculum programmes of study;
- arrange for books and materials to be available on loan as appropriate;
- ensure that teachers in school are kept in touch with developments (including the pupil's likely return date if known);

ECOS will provide additional teachers who will:

- contact you to discuss needs and arrange appropriate provision. We need your advice on what schoolwork your child can manage.
- liaise with the school to provide a co-ordinated programme of suitable work for your son or daughter at home;
- visit you at home regularly as agreed to provide some personal teaching;
- arrange home based access to the national curriculum via Distance Learning. We have a Warwickshire website which provides on-line access to schoolwork, teaching and assessment;
- maintain a portfolio of work and accurate educational records which will be available to support your son or daughter's eventual return to school, and
- attend review meetings every half-term.

We want to be flexible in responding to the changing educational and health care needs of each pupil. Wherever possible it is important to work towards the earliest possible safe return to school. We will always try to take into account the needs, wishes, concerns and circumstances of each pupil. It is important that the pupil feels listened to and involved in any plans that are being formulated on his or her behalf.

