

Guidelines for developing a Special Educational Needs and Disability (SEND) policy and procedures

All early years settings in the maintained, voluntary or private sectors that receive government funding for early education should have a written Special Educational Needs disability (SEND) policy. This is a statutory duty in line with the Special Educational Needs and Disability Code of Practice (2015).

What is Special Educational Needs and Disability?

A child has special educational needs (SEN) if they have a learning difficulty or disability which calls for special educational provision to be made for him or her (SEND Code of Practice, 2015).

A child has a learning difficulty or disability if he or she

- has a significantly greater difficulty in learning than the majority of others of the same age, or
- has a disability which prevents or hinders him or her from making use of facilities of a kind generally provided for others of the same age

For children aged two or more, special educational provision is provision that is additional to or different from that made generally for other children of the same age by relevant early years providers.

For a child under two years of age, special educational provision means educational provision of any kind.

A child under compulsory school age has special educational needs if he or she is likely to fall within the definition in the paragraph above.

Children with SEN may need extra help because of a range of needs.

Introduction

This sets the context for the policy, and should reference how the policy links to relevant legislation, for example

This policy has been developed in line with the following:

- Children and Family Act 2014
- Special Educational Needs and Disability Code of Practice 2015
- Special Educational Needs and Disability Regulations 2014
- Early Years Foundation Stage – the statutory framework 2021
- Equality Act 2010
- Working together to Safeguard Children (July 2018)

Your introduction could include a statement which outlines the setting's ethos with regard to supporting children with SEND in an inclusive environment such as:

Every child deserves the best possible start in life and the support that enables them to fulfil their potential. Children develop quickly in the early years and a child's experiences between birth and age five have a major impact on their future life chances.

A secure, safe and happy childhood is important in its own right. Good parenting and high quality early learning together provide the foundation children need to make the most of their abilities and talents as they grow up.

We aim to offer good quality provision and choice to all our children, whatever their ability or needs. We have high expectations of all our children. We aim to achieve this through the removal of barriers to learning and participation. We want all our children to feel they are a valued part of our nursery.

Your introduction could also include that your policy links with other setting policies, for example Admissions, Administering medication, Working with Parents policies.

Aims

Outline the aims of the setting's approach to identifying, assessing and meeting the needs of children with SEND. This could include how the setting works to:

- Support the early identification of children's needs and early intervention to support them
- Focus on inclusive practice and removing barriers to learning
- Provide high quality provision to meet the needs of all children
- Use an individualised approach
- Work holistically in capturing a shared vision of what is important for each child
- Create an environment that meets the special educational needs and/or disability of each child
- Ensure that the provision for special educational needs and disability follow a graduated approach of assess, plan, do and review
- Make clear the expectations of all partners in the process
- Identify the roles and responsibilities of staff in planning for children's special educational needs
- Share information with all staff to increase consistency in provision
- Use the setting's best endeavours for children's access to the setting, taking into account the duty to make reasonable adjustments
- Ensure that parents are able to play their part in supporting their child's education
- Encourage the child's participation, involvement and choice making in the day to day provision and provision for SEND
- Identify the Inclusion Coordinator (INCCO)/Special Educational Needs Coordinator (SENCO) for the setting

The Inclusion Co-ordinator (INCCO)/Special Educational Needs Co-ordinator (SENCO) for our setting is (enter name)

Methods

Below are some prompts to help you outline how you put these aims into practice.

How does the setting identify children's SEND?

- What processes you have in place to identify, assess and monitor children's progress, for example starting points, observations, tracking, working with parents
- Do you have SEND as a standing item on your team meeting agenda?

How does the setting meet children's SEND?

Consider how you provide an appropriate and challenging curriculum, think about your graduated approach

- How have you changed your provision to meet the needs of the child? For example: Individual Progress Plans (IPPs), behaviour plans, health care plans
- Are you aware of the North Somerset Inclusion referral process?
- Are you aware of the North Somerset Early Years SEND Top-up funding process?
- How do you ensure that the child's voice is taken into account?

Working with parents

Consider how you ensure the setting is welcoming to ALL children and families

- Do your displays and resources reflect positive images of children and adults with a range of abilities?
- How do you make available relevant and useful information for families, for example North Somerset Local Offer, children's centres?
- How do you ensure the attitudes and awareness of the staff contribute to making families feel welcome?
- How do you ensure children and parents views are valued?

The accessibility of the resources and the environment

Consider the appropriateness of resources and the environment.

- Do you have any specialist equipment that supports access to the curriculum?
- How do you ensure that you have made reasonable adjustments to your provision to meet the needs of the child?
- Do you have embedded the use of visual prompts/aids to support children's communication skills?

Staff training

Describe your processes for ongoing staff training and CPD.

- How are training needs identified?
- Are there training opportunities for specific roles, for example the INCCO, key person to meet individual medical needs of a child,
- Are there training opportunities for the setting as a whole?
- Does the training encourage practitioners to reflect on their attitudes towards children with SEND as well as understanding legislation?

Working with relevant professionals

Describe your approach to working with other professionals

- How do you share information with shared settings?
- Are you aware of the Multi-agency Information and Support in the Early Years (MAISEY) referral process?
- How do you co-operate with other professionals? For example responding to requests for information for Education, Health and Care assessments, implementing strategies suggested by the North Somerset Area SENCO and other professionals working with the child.
- Do you ensure that that information is shared appropriately, and that views are respected?
- Do you prioritise attending multi-agency meetings where possible?
- Are other professional welcomed into your setting?
- How do you support children's transitions, for example into school?

North Somerset Local Offer

Demonstrate your awareness of the local offer

- How often do you update your published offer on the North Somerset Online Directory?

North Somerset Council has a Local Offer, setting out in one place information about provision they expect to be available across education, health and social care for children and young people in their area who have SEN or are disabled, including those who do not have Education, Health and Care (EHC) plans.

The Local Offer has two key purposes:

- To provide clear, comprehensive, accessible and up-to-date information about the available provision and how to access it, and
- To make provision more responsive to local needs and aspirations by directly involving disabled children and those with SEN and their parents, and disabled young people and those with SEN, and service providers in its development and review

Further information can be found on the North Somerset Online Directory:

www.n-somerset.gov.uk/localoffer

Education, health and care (EHC) needs assessments and EHC plans

The SEND code of practice states that

5.49 Where, despite the setting having taken relevant and purposeful action to identify, assess and meet the special educational needs of the child, the child has not made expected progress, the setting should consider requesting an Education, Health and Care needs assessment.

“Early years providers have a duty to co-operate with local authorities in carrying out needs assessments for children, and in the development and review of EHC plans.”
(*Early years: guide to the 0 to 25 SEND code of practice, September 2014, page 20*)

The local authority's SEN Team is responsible for managing the statutory assessment process. When the SEN Team receives an EHC needs assessment request, an allocated SEN caseworker will write to the child's parents/carers, early years provider(s) that the child attends and any other professionals who work with the child to request information/advice about the child. You will be asked to provide advice and information through the online portal.

Early years providers may also request an EHC needs assessment for a child. This must be done with the knowledge and agreement of the child's parents/carers.

Further information about the EHC needs assessment process can be found at www.n-somerset.gov.uk/localoffer (then click on 'Education Health and Care Plans in North Somerset').

The role of the Inclusion Co-ordinator (INCCO)/Special Educational Needs Co-ordinator (SENCO)

The INCCO role is to:

- Support and advise colleagues
- Oversee the records of all children with Special Educational Needs
- Ensure parents are closely involved throughout and that their insights inform the action taken by the setting
- Act as link with professionals, external agencies and other support agencies
- Regularly review and evaluate the quality and breadth of the support they offer or can access for children with SEN or disabilities.
- Manage a range of resources, human and material, to enable appropriate provision for children with Special Educational Needs
- Contribute to the professional development of all staff
- Ensure all staff are aware of their responsibilities to children with SEN and the setting's approach to identifying and meeting SEN
- Ensure all staff are aware of current and appropriate documentation such as EYFS development matters best fit, early years outcomes, two year old progress check, starting points, learning diaries, North Somerset Individual Progress Plans, North Somerset Early Support Inclusion Materials, guidance and resources
- Ensure all staff are aware of their current Area SENCO and what their role is
- To ensure inclusion of all children who may be vulnerable to not reaching age appropriate developmental milestones, not just children with SEND. This may include children such as Children Looked After, Early Years Pupil Premium, British Minority Ethnic, Bilingual children and other groups.

Graduated Approach: assess-plan-do-review

This should outline the setting's processes in:

- identifying needs
- assessing the needs in relationship with the four broad areas of need (SEND Code of Practice, 2015, page 97-98)
- planning how the setting will meet the identified needs of the child

- implementing the identified arrangements
- reviewing progress and revising targets to ensure that the child's needs continue to be met
- gaining the views of the child and parents

The policy should state that “where despite the setting having taken relevant and purposeful action to identify, assess and meet the special educational needs of the child, the child has not made expected progress, the setting will consider requesting an Education, Health and Care needs assessment” (SEND Code of Practice, 2015, page 88).

Date policy adopted and signed

The policy should clearly state the date that it was adopted and should be signed by the Registered Provider, Committee or Manager on behalf of the setting.

Date for review

The policy should be reviewed regularly and include a date by which the review will take place.

References

The setting could refer to relevant documents for example:

- NDNA/EYA model policy if a member.
- Equality Act (2010)
- Department for Education: Early Years: guide to the 0-25 SEND code of practice (September 2014)
- Department for Education: Special Educational Needs and Disability Code of Practice: 0-25 (January 2015)
- Department for Education: Special Educational Needs and Disability – A guide for parents and carers (September 2014)
- Early Years Foundation Stage Statutory Framework (2021)