



3b(ii). Disability Inclusion, SEN and Learning Support Policy	
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Linked documents:	Equal Opportunities for Pupils Policy Examination and Assessment Policy

Disability Inclusion, SEN and Learning Support Policy

Please see this policy in relation to the wider discussion of access and equal opportunities given in the *Equal Opportunities for Pupils Policy* posted with other policies on the website.

Introduction

The School is committed to the provision of equal opportunities for all members of the School community, including prospective, current and past pupils, staff and visitors. This policy is designed to be a statement of the School's awareness of the issues surrounding pupils with disabilities and/or SEN and the School's responsibilities in this regard. This policy works towards eliminating disadvantages for pupils with SEN and disabilities by:

- using best endeavours to ensure that all pupils (including those with medical conditions) get the support needed in order to access the School's educational provision
- not treating disabled pupils less favourably than their peers
- making reasonable adjustments so that disabled pupils are not put at a substantial disadvantage in matters of admission and education
- ensuring that pupils with SEN and disabilities engage as fully as practicable in the activities of School alongside pupils who do not have SEN and disabilities
- ensuring parents are informed when special educational provision is made for their child and are kept up to date as to their child's progress and development.

In drawing up this policy, the School has had regard to the following guidance and advice (in so far as they apply to the School):

- Special Educational Needs and Disability Code of Practice: 0 to 25 years (January 2015)
- Equality Act 2010
- Children and Families Act 2014
- Statutory framework for the early years foundation stage (effective from September 2021)

We recognise that disabled people are not only those whose disability is immediately obvious (for example, visually impaired people or those who use wheelchairs), but also those with disabilities which are not always obvious (for example, heart problems, mental illness, asthma, arthritis, epilepsy and hearing impairment). We acknowledge that a particular disability can vary in its severity and affect different people to differing degrees. Some disabilities may improve over a period of time, while others may deteriorate. Other disabilities may be only temporary. We acknowledge that different individuals will be at varying stages in coping with disabilities: people disabled from birth may have found ways of overcoming their disabilities and may require only minimal assistance; those who become disabled later in life may need more time and help to develop an expertise in coping with disability. It is our aim that, whatever their situation, all members of the School community will have the benefit of support tailored to need in the promotion of their health and wellbeing.

Definition of special educational needs

A child or young person has SEN if they have a learning difficulty or disability which calls for special educational provision to be made for them. In accordance with the Children and Families Act 2014, a child of compulsory school age or a young person has a learning difficulty or disability if they:

- have a significantly greater difficulty in learning than the majority of children their age;
- have a disability which either prevents or hinders them from making use of educational facilities of a kind generally provided for others of the same age in mainstream schools
- are under five years old and would be likely to have such difficulties if special educational provision were not made for them.

Children will not be regarded as having a learning difficulty solely because the language or form of language of their home is different from the language in which they will be taught. The School's support for those children whose first language is not English is set out in the School's EAL Policy.

Definition of Disability

The Equality and Human Rights Commission (EHRC) Technical Guidance for Schools states that a person is disabled if he or she has a physical and/or mental impairment that has 'a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities.' There is no need for a person to have a medically diagnosed cause for his or her impairment; what matters is the effect of the impairment, not the cause. It should be noted that not all pupils who have SEN are disabled. Not all disabled pupils have SEN.

The School recognises the need to:

- promote equality of opportunity between disabled persons and other persons
- eliminate unlawful discrimination
- eliminate any harassment of disabled persons related to their disabilities
- promote positive attitudes towards disabled persons
- encourage participation by disabled persons in the life of the School and take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably in order to level the playing field

Identifying and supporting pupils with SEN and disabilities

The School's curriculum, plan and schemes of work take proper account of the needs of all pupils, including those with SEN and disabilities. The School regularly reviews pupil progress to help monitor whether children are making expected progress. Slow progress and low attainment do not necessarily mean that a child has SEN (and should not automatically lead to a pupil being recorded as having SEN). However, where the School reasonably considers that a pupil may have a learning difficulty, for example where there are early indications that a pupil is not making expected progress, the School will do all that is reasonable to report and consult with parents and the pupil (as appropriate) to help determine the action required including whether any additional support is needed.

The School may suggest that a family obtain a formal assessment of their child (such as by an educational psychologist), the cost of which will be borne by the family. Where parents wish to request a formal assessment from outside of School, they must ensure the School is given copies of all advice and reports received. Parents are also responsible for ensuring that their child's SEN assessments/reports are kept up-to-date, at the risk of their child losing access to examination access arrangements if this is not done, according to published regulations.

If there are significant emerging concerns, or identified SEN or disability, the School will take action to put appropriate special educational provision in place taking into account any advice from specialists. Parents should always be consulted and kept informed of any action taken to help their child, and of the outcome of this action. Due weight will also be given to a pupil's wishes (according to their age, maturity and capability).

The School recognises that some pupils with a SEN may also have a disability. The School will do all that is reasonable in order to meet the needs of pupils with disabilities for which, with reasonable adjustments, the School can adequately cater.

Pupils identified with a SEN will be added to a register, and database of pupil progress for learning development is maintained. These are available and regularly highlighted to teaching staff.

Recording progress of pupils with SEND

The School will record the progress of and any support for pupils with significant learning difficulties or disabilities or where they have an Education Health Care Plan. This will be recorded by way of an Individual Education Plan. This is drawn up in consultation with the pupil's Learning Support teacher (where applicable), the Prep School/ Senior School SENCo, the pupil and their parents and kept on the School's information system. The Individual Education Plan contains key information such as:

- Outcome sought
- Teaching strategies
- The additional or different provision of support in place
- Involvement of any specialists or professionals
- Information the pupil would like to share about themselves, e.g. strengths, weaknesses, diagnosed learning difficulties, disabilities or medical conditions and what these mean to the pupil and how these affect them
- Date the Individual Education Plan was drawn up and date for review.

The Individual Education Plan may be amended as and when circumstances change and at the request of the pupil, parent, teacher, or the Prep School/ Senior School SENCo.

The pupil (subject to their age and understanding), together with their parents and teachers, review the plan regularly and the child is encouraged to take ownership of it and to set their own targets.

Early Years Provision

The School monitors progress of all pupils in the Early Years Foundation Stage (EYFS framework 2021). The child's Form Tutor, in consultation with the Prep School SENCo, will discuss with parents any concerns they may have about a pupil's needs and/or progress, in accordance with this policy.

Admissions and Pupils with Disabilities, SEN and Learning Difficulties

The School welcomes pupils who can make the most of the opportunities offered and can flourish in its caring environment. The governors and staff are firmly committed to inclusivity and to giving every child the best possible start in life. Treating every child as an individual is important, and pupils with physical disabilities, sensory impairment or other learning difficulty are welcome. Pupils, whose Special Educational Needs (SEN) and learning difficulties are suited to the curriculum, are welcome provided that an individually tailored programme of study, which may include additional lessons or other support from the Learning Support Department, can provide them with the help and support that they require.

Selection Process

The school's *Admissions Policy* is posted on the School website and included in the School's prospectus package. Applications from all who have the ability and aptitude to access our academic curriculum are welcome. Parents of children with physical disabilities, SEN or learning difficulties are advised to discuss their child's requirements with the School before they attend an assessment day and/or take an entrance examination so that adequate provision can be made for them accordingly. Parents are asked to provide a copy of any medical report or educational psychologist's report to support any request, for example, for large print material, extra time, use of laptops or other access arrangements. Applicants are welcome to use learning aids of their own, for example coloured overlays/glasses, electronic readers.

Before an offer of a place is made, the School will assess whether it is able to adequately cater for and meet the needs of any SEN and disabilities (if known) through discussion and meetings with parents, consideration of any professional reports and references from previous schools, and assessment of the pupil at a taster day as appropriate.

An offer of a place may not be made if the School determines, following consultation as outlined above, that they are unable to meet and provide for a child's needs. The School will always consider its obligations under the Equality Act 2010.

Withdrawal

Where, after all reasonable adjustments have been made or considered, the School feels that it is unable to accommodate a disabled pupil or meet their needs, the School may require parents, after appropriate consultation, to withdraw their child. Fees in lieu of notice will not be chargeable in these circumstances and the acceptance deposit returned.

Before Entry

Each pupil with a disability and/or SEN requires special consideration and treatment. If appropriate adjustments need to be put in place, they will be discussed thoroughly with parents and their medical advisers, including adjustments that can reasonably be made to the curricular and extra-curricular activities before their child becomes a pupil at the School. Individual Education Plans (IEPs) may be discussed at this time, so that all teaching, boarding, and other staff recognise the needs of individual pupils and the nature of the support they require.

Barriers to Learning

We recognise that some pupils with disabilities and/or special educational needs (SEN) need specifically adapted learning experiences and, where appropriate, necessary provision to develop and extend their abilities. Specifically we aim to take reasonable steps to ensure that disabled pupils are not placed at a substantial disadvantage in relation to their education and other services which we provide. We anticipate potential barriers to learning and take action to remove them as far as we are able. We plan strategically to increase the extent to which disabled pupils can participate in the curriculum.

The School recognises that social, emotional and communication barriers to learning can be associated with some disabilities. Mental illness or learning difficulties can cause these issues. The School aims to work together with families to overcome or minimise these as far as is possible. The School employs a qualified School Nurse and a qualified School Counsellor whose services are available to pupils in need of medical, emotional and psychological support. For further details, see the *Health Care and First Aid Policy* and the *School Counselling Policy* which are available on request.

The School also promotes the wider personal and social development of pupils with disabilities and/or SEN through opportunities such as internal clubs and activities, for example the Duke of Edinburgh's Award, Forest School and volunteering opportunities.

Physical Accessibility

Parents and prospective parents of disabled children may wish to obtain copies of the School's Accessibility Plan from the website. This plan outlines areas of full accessibility on site and also ways in which the Governors plan to make the buildings progressively more accessible to disabled pupils, disabled parents and visitors. The School has an active monitoring policy and will do its best to make adjustments to take account of an individual pupil's needs, within the constraints imposed by its

historic buildings, site and resources. Facilities for wheelchair users are being introduced progressively as buildings are upgraded.

Pupils accepted for study at Rye have the opportunity to board. In line with requirements set out in the Equality Act 2010, boarders are not discriminated against with regard to the protected characteristics set out in the Equality Act 2010. These factors are taken into account in the care of boarders, so that care is sensitive to different needs.

Boarding facilities incorporate some of the historic architecture of the School property, and while access would not be a problem for most, there is currently not the scope to rebuild portions of The Croft boarding house to incorporate, for example, a lift to upper floors. Prospective pupils are welcome to view the boarding facilities and discuss options during their visiting days. For further details, please see the whole School Accessibility Plan.

Boarders' Welfare Plans

In caring for boarding pupils, staff are alert to their responsibility for supporting pupils' health and wellbeing including physical, mental, emotional and behavioural needs. Any pupil with a known or emerging need will be monitored by housestaff and the School Nurse and a specific welfare plan will be set up and implemented as necessary in agreement with all concerned – the pupil, parents, the School Nurse, housestaff, Form Tutor and Senior Leadership Team. (See Boarding Welfare Plan pro forma.)

Other Adjustments

Other adjustments can be made after consultation with pupils, staff, parents, and/or external professionals. Depending upon need, children can use laptop computers in class and for independent study, and can be given large print or documents printed on coloured paper if required. Individual arrangements may be discussed with form tutors and subject teachers. We have the scope to offer a full range of Examination Access Arrangements in accordance with current, external examination regulations. For full details, see the *Examinations and Assessment Policy*.

Menus are devised to cater for special dietary requirements.

Auxiliary Aids and Services

The Equality Act 2010 has made significant changes to the law on discrimination as it affects disabled pupils and in particular the extension of duties on Schools to include the provision of auxiliary aids and services from 1 September 2012. The School is aware of this duty, and complies with it.

Pupils with Education Health and Care Plans (EHCPs) and Carers

The needs of the majority of pupils with SEN will be met effectively through the School's SEN support. However, where the child or young person has not made expected progress despite the SEN support in place, parents and the School have the right to ask the Local Authority to make an assessment with a view to drawing up an EHCP for their child. Parents are asked to consult with the School before exercising this right. The School will always consult with parents before exercising this right.

If the Local Authority refuses to make an assessment, parents have a right of appeal to the First-tier Tribunal (Health, Education and Social Care Chamber). The School does not have this right of appeal.

Where a prospective pupil has an EHCP, the School will consult with the parents and the Local Authority (where appropriate) to ensure that the provision specified in the EHCP can be delivered by

the School. Any services that are needed to meet the requirements of the EHCP may need to be charged, either directly to the parent or to the Local Authority if the Local Authority is responsible for the fees and the School is named in the EHCP. In all other circumstances charges may be made directly to parents, subject to the School's obligations under the Equality Act 2010. The School co-operates with the Local Authority to ensure that relevant annual reviews of EHCP are carried out as required.

If a pupil requires their dedicated carer to come into School, for example, to assist with personal care, writing, etc., this can be accommodated provided that the carer has an enhanced DBS check arranged by the School and complies with the safeguarding procedures in force at the time. The School would require a carer (like a new member of staff) to sign a written agreement undertaking to comply with the School's safeguarding policies and to attend the safeguarding induction briefing that is given to all new members of staff before working unsupervised on site.

If a pupil's dedicated carer is not a School employee, the pupil's parents will be asked to provide the School with a written undertaking indemnifying it from any legal responsibility or cost connected with the provision of their services to their child.

Role of the SENCo

There are two Special Educational Needs Co-ordinators (SENCo) working in the school with explicit responsibilities for either the Prep School or the Senior School (Years 7-13). Working closely with the Deputy Head Academic and Head of Prep along with other members of the Senior Leadership Team (SLT), the SENCo play a key role in determining the strategic development of this policy and provision in the school in order to cater for the individual needs of pupils with disabilities and/or special education needs, pupils for whom English is an additional language and pupils who are considered high-ability. The SENCo will liaise closely with the pupil's teaching staff, family and where appropriate, with the school's medical staff and with external agencies.

Responsibilities of the posts include:

- leading the Learning Support Team and ensuring that the Learning Support team is fully integrated within the School community
- helping draft the School's *Disability Inclusion, Special Educational Needs and Learning Support Policy* and related policies, and helping ensure their effective implementation
- creating and maintaining a register and database of pupil progress for Learning Development (in particular in relation to Special Education Needs (SEN) and English as an Additional Language (EAL))
- co-ordinating and overseeing the provision for Learning Support
- monitoring the learning of all pupils and giving advice and support as needed to ensure that each pupil is able to work happily and effectively in the fulfilment of the pupil's potential
- guiding and supporting pupils, parents and staff concerning the programme of study and support arrangements for individual pupils within the Learning Support programme
- assisting colleagues in the identification of individual pupil needs, and helping staff meet the needs of each individual pupil
- arranging and monitoring the observation and assessment of pupils, by staff of the School and by others (for example, educational psychologists); ensuring that assessment information is appropriately collated
- preparing, or overseeing the preparation of Individual Education Plans (IEPs), setting targets appropriate to the needs of pupils, supporting teachers in the devising of strategies to differentiate learning, advising on appropriate resources and materials to support

individualised learning, and advising on the effective use of materials and the effective deployment of personnel within the classroom

- liaising with parents and keeping them involved and informed as partners in the learning process
- liaising with outside agencies, arranging meetings, and providing the link between agencies, staff, parents and the pupil concerned
- organising and contributing to the in-service training of staff

The Governor with responsibility for Education reviews the management of the provision of learning support and accessibility for pupils with disabilities, special educational needs and learning difficulties, and the SENCo reports on occasion to the Board and meets with the Link Governor for Education.

The Learning Support Department

Some pupils may require specialist support from the Learning Support Department, which is staffed by experienced specialists who are able to support pupils with disabilities and/or special educational needs (SEN) and EAL. This arrangement may be discussed with parents/guardians before their child enters the school, and a request to begin extra tuition or other specified support may be made at any time. Pupils with identified or suspected learning difficulties may be assessed, at their parents' expense, by an external specialist so that the areas that require support can be identified. Specialist one-to-one lessons and help with study skills are offered outside the normal curriculum for an additional fee (as given in the annual fee schedule) and subject to established terms and conditions. The School works closely with children and their parents to help them overcome the barriers that their difficulties present.

Learning Support lessons are offered throughout the main School from Reception to Year 13. Teaching times vary according to pupils' other commitments. Lessons take place, as far as possible, before or after School, at lunch times or during pupils' study lessons. Where lessons are missed, staff try to employ a carousel to avoid weekly disruption to a pupil's main curriculum learning time. Most pupils are taught individually for an agreed number of lessons per week. Occasionally two or more pupils have similar needs, and these pupils may be taught in pairs or small groups.

The aim of each Learning Support programme is to help the pupil to develop the skills needed to follow a fully inclusive programme of study. Help may be given through specific exercises or in the context of the assignments required by the pupil's various subjects. The Learning Support staff are responsible to the School's SENCo for Senior School.

The Learning Support Department will prepare an individual education plan (IEP) for each pupil it takes for one-to-one lessons, setting achievable targets and tracking progress. The pupil, together with the pupil's parents and, where appropriate, teachers, review the plan regularly and the pupil is encouraged to take ownership of it and to set personal targets. Effort and achievement grades are collected every half term, and parents are welcome to discuss the pupil's learning support lessons with the tutors and/or SENCo.

The fee for Learning Support tuition is charged at an hourly rate. For details, see the annual fee schedule posted on the website and included in the School prospectus.

Governor and staff responsibilities

The Head is responsible for overseeing all aspects of the School's SEN provision and keeping the governing body fully informed of the implementation of the School's policy in practice.

All teachers are responsible for helping to meet a pupil's needs (irrespective of any specialist qualifications or expertise). All staff are expected to understand this policy so that the School can identify, assess and make provision to meet those needs. The School expects its teachers to differentiate within the curriculum and to take into account pupils' learning difficulties (as well as the needs of gifted and talented and EAL pupils). The Prep School/ Senior School SENCo liaises with the teaching staff about the most appropriate means of meeting the needs of pupils with disabilities and/or special educational needs and learning difficulties. The Prep School/ Senior School SENCo has an important role in ensuring consistency of approach by all teachers in providing, for example, access to learning materials that are easier to read and understand, or extra time in examinations, through means such as departmental differentiation audits, pupil shadowing, and monitoring of assessment access arrangement provision.

Staff Training

All staff (including teaching and support staff) are given regular training on working with special educational needs and disabilities by the Prep School/ Senior School SENCo, other trained members of staff, or by external training providers. This training focuses on understanding disabilities and/or special educational needs, helping each child to reach their maximum potential, and how current practices and policies are applied in School.

School Behaviour, Discipline and Safeguarding

The School takes pride in its well-developed system of pastoral care for social interaction amongst pupils. All pupils, from the youngest in the nursery upwards, are taught that discrimination, victimisation and bullying will not be tolerated. Tolerance and acceptance of differences within the community are central to the core British values taught and upheld in the School. The School's objective is to ensure that a disabled pupil, or a pupil with SEN or other protected characteristic, does not suffer less favourable treatment as a result of discrimination. Pupils are taught through the curriculum and other activities the importance of respecting each other and behaving towards each other with courtesy and consideration. The School's behaviour policies make clear the seriousness of bullying, victimisation and harassment in all its forms, including racial, religious, cultural, sexual, sexist, gender-related, homophobic, disability-related and cyber, in causing serious psychological damage and even suicide. Considerable teacher time is expended in preventing bullying, victimisation and harassment and in dealing with it when it occurs. All pupils understand that the school has a zero tolerance policy on bullying.

The School recognises that disabled pupils or those with SEN may be particularly vulnerable to being bullied. The School's Behaviour Management Policy and Anti-bullying Policy make it clear that bullying behaviour of any kind is not acceptable and will be taken very seriously.

The School also recognises that bullying (or other matters such as bereavement) can lead to learning difficulties or wider mental health difficulties. Persistent disruptive or withdrawn behaviours do not necessarily mean that a child or young person has SEN but where there are concerns, an assessment may be undertaken to determine whether there are any causal factors such as undiagnosed learning difficulties, difficulties with communication or mental health issues.

The School recognises that children with SEN and disabilities can face additional safeguarding challenges and additional barriers can therefore exist when recognising abuse and neglect in this group of children. These can include:

- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration;
- the potential for children with SEN and disabilities being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs; and
- communication barriers and difficulties in overcoming these barriers.

The School's Child Protection and Safeguarding Policy will be followed if there are any safeguarding concerns relating to a child.

Partnership with Parents

The School's hope is that all parents and education guardians will feel able to share any concerns about their child with the School in order that a healthy partnership for the care of their child can be developed. The Prep School/ Senior School SENCo, other pastoral staff, tutors, teaching and medical staff who are involved with their child are always happy to discuss any parental concerns. A member of staff will always ask to see a parent if they feel that an adjustment to the curriculum or individual education plan followed by their child might be in their best interests, or if there was a specific concern.

The School supports parents in working with outside agencies, as appropriate, to provide early help with identification of any special needs and early intervention.

Concerns

The School will listen to any concerns expressed by parents about their child's development and any concerns raised by children themselves. Parents must notify their child's form teacher or the Prep School/ Senior School SENCo if their child's progress or behaviour gives cause for concern.

The School naturally hopes that a parent will not feel that they have cause to complain but its complaints policy is published on the website. Additionally, all parents of pupils with disabilities and/or special educational needs (SEN) have the legal right to seek redress from the First Tier Tribunal (Special Educational Needs and Disability) if they believe that their son or daughter has been discriminated against.