

# WESTFIELD PRIMARY SCHOOL

## SEND Policy

Spring Term - April 2023 (Rev September 2023)

Review Date: Spring Term - April 2024

This Policy was co-produced by the Inclusion Leader in liaison with the SLT, all staff and parents of pupils with SEND.

The provisions and procedures outlined in this policy are subject to and superseded by the provisions in the school's Coronavirus Risk Assessment as updated from time to time.



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### **Definitions of special educational needs (SEN) taken from section 20 of the Children and Families Act 2014**

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. A child of compulsory school age, or a young person, has a learning difficulty or disability if they:

- a) have a significantly greater difficulty in learning than the majority of others of the same age; or
- b) have a disability which prevents or hinders them from making use of educational facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions.

A child under compulsory school age has special educational needs if they fall within the definition at (a) or (b) above, or would do so if special educational provision was not made for them.

Children must not be regarded as having SEN, even though these factors may impact on progress and attainment:

- Disability (the Code of Practice outlines the "reasonable adjustment " duty for all settings and schools provided under current Disability Equality legislation
- Attendance and Punctuality
- Health and Welfare
- EAL
- Being in receipt of Pupil Premium Grant
- Being a Looked After Child
- Being a child of Serviceman/woman

## **COMPLIANCE**

This policy complies with the statutory requirement laid out in the SEND Code of Practice 0 - 25 (January 2015) and has been written with reference to the following guidance and documents:

- Equality Act 2010: advice for schools DfE Feb 2013 (updated 16 June 2015)

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- Special Educational Needs and Disability Code of Practice: 0 to 25 years (updated May 2015)
- School's SEN Information Report Statutory Guidance on Supporting pupils at school with medical conditions December 2015 (updated 16 August 2017)
- The National Curriculum in England Key Stage 1 and 2 framework document Sept 2013 (updated May 2015)
- Child Protection and Safeguarding Policy
- Accessibility Plan
- Teachers Standards
- Special Educational Needs and Disability Regulations 2014 (amended March 2015)

The way in which provision and support is made for children and young people with special educational needs and/or disabilities in England was reformed. New legislation (The Children and Families Act 2014) enacted on the 13th March came into force on 1st September 2014. The SEN Code of Practice accompanied this legislation and has subsequently been updated

More details about the reforms and the SEN Code of Practice can be found on the Department for Education's website:

[www.education.gov.uk/schools/pupilsupport/sen](http://www.education.gov.uk/schools/pupilsupport/sen)

Statements of Special Educational Needs, for those children with the most complex needs, have been replaced with **Education, Health and Care (EHC) Plan**. These plans are supported by a child's SEN Support Arrangements.

[www.surreysendlo.co.uk](http://www.surreysendlo.co.uk)

The SEND **Local Offer** is a valuable resource, which has been designed to support children and young people with special educational needs and/or disabilities and their families. It describes the services and provision that are available both to those families in Surrey that have an Education, Health and Care Plan and those who do not have a plan, but still experience some form of special educational need. The SEND Local Offer includes information about public services across education, health and social care, as well as those provided by the private, voluntary and community sectors.

## **Mission statement**

**We believe in the importance of children engaging, enriching and excelling at school. This allows them to make the very best progress they can in their learning, both academic learning and in learning about themselves, their relationships, making a positive difference in their community**

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and the world in which they live. We are committed to equality and valuing diversity and actively support practices that promote genuine equality of opportunities for all.

The school will build on the qualities and skills which parents have fostered in the child at home. From the beginning, staff and governors will aim to create a caring and disciplined environment in which each child's well-being is valued and they are viewed as an individual.

We aim to provide the highest quality of education for all our children, in an environment that is challenging, motivating, caring and moral, where children can acquire the skills and knowledge appropriate to their individual needs through the delivery of a creative curriculum. Through our pledge we strive to provide a range of exciting learning and life experiences.

We help all children to grow emotionally and to learn that courtesy, excellent manners, first class behaviour and consideration and respect for others are very important qualities. We hope all our children will become happy, responsible, and independent young people.

We believe every teacher is a teacher of every child or young person including those with SEN. We are ambitious for all our children.

We are proud to provide a safe, stimulating and inclusive learning environment where every member of our community is valued and respected.

Our broad, balanced, creative curriculum and enrichment activities provide opportunities for everyone to achieve and succeed.

## **1. Aims and objectives**

### **Aims**

We want all Westfield children to foster a 'Love of Learning and a Love of Life,' enabling them to excel, be the best they can and achieve the necessary life skills for their future.

We aim to provide every child with access to a broad and balanced education. This includes the National Curriculum in line with the Special Educational Needs Code of Practice.

### **Objectives**

- **Staff members seek to identify the needs of pupils with SEN as early as possible.** This is most effectively done by gathering information from parents, education, health and care services and Early Years settings prior to the child's entry into the school.

- **Monitor the progress of all pupils** in order to aid the identification of pupils with SEN. Continuous monitoring of those pupils with SEN by their teachers will help to ensure that they are able to reach their full potential.
- **Make appropriate provision to overcome all barriers to learning and ensure pupils with SEN have full access to the National Curriculum.** This will be co-ordinated by the Inclusion Leader and Headteacher and will be carefully monitored and regularly reviewed in order to ensure that individual targets are being met and all pupils' needs are catered for. Staff will review the needs in their classes regularly and make relevant adaptations, in order to encourage all children to achieve. Personalisation of elements of the curriculum, adapting to suit the needs of those with SEND, will support all children to acquire the same overarch skills.
- **Work with parents** to gain a better understanding of their child, and involve them in all stages of their child's education. This includes supporting them in terms of understanding SEN procedures and practices and providing regular feedback on their child's progress.
- **Work with and in support of outside agencies** when the pupils' needs cannot be met by the school alone. Some of these services include Language and Learning Service, Educational Psychology Service, Speech and Language Therapy, Child and Adolescent Mental Health Service CAMHS.
- **Create a school environment where pupils can contribute to their own learning.** This means encouraging relationships with adults in school where pupils feel safe to voice their opinions of their own needs, and carefully monitoring the progress of all pupils at regular intervals. Pupil participation is encouraged through school by wider opportunities such as school council, residential visits, school plays, and sports teams and, a more structured peer mediation scheme led by the upper Juniors (Based on the Bristol Peer Mediation scheme).

## 2. Responsibility for the coordination of SEN provision

- The person responsible for overseeing the provision for children with SEN is Karyn Hing, Headteacher

The person co-ordinating the day to day provision of education for pupils with SEN is Julia Findlay, Inclusion Leader. The Inclusion Leader has achieved the National Award for SEN (NASENCo award) (*SEND Code of Practice, 6.85*). She is also a member of the School's Senior Leadership Team (*SEND Code of Practice, 6.87*)

## 3. Arrangements for coordinating SEN provision

The Inclusion Leader will hold details of all SEN records for individual pupils.

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## All staff can access:

- The Westfield Primary School SEN Policy
- A copy of the full SEN register
- Guidance on identification of SEN in the Code of Practice
- Information on individual pupils' special educational needs, including pupil profiles, targets set and copies of their provision map
- Practical advice, teaching strategies, and information about types of special educational needs and disabilities
- Information available through Surrey County Council's SEND Local Offer

In this way, every staff member will have complete and up-to-date information about all pupils with special needs and their requirements which will enable them to provide for the individual needs of all pupils.

This policy is made accessible to all staff and parents in order to aid the effective coordination of the school's SEN provision.

## 4. Admission arrangements

At Westfield Primary School we follow SCC admissions criteria, please refer to the information contained in our school prospectus or SCC website.

The admission arrangements for all pupils are in accordance with national legislation, including the Equality Act 2010. This includes children with any level of SEN - those with Education, Health and Care Plans and those without.

## 5. Specialist SEN provision

We are committed to whole school inclusion. In our school we support children with a range of special educational needs. We will seek specialist SEN provision and training from SEN services where necessary.

As outlined in KCSIE (2023), staff recognise that children with special educational needs or disabilities (SEND) or certain medical or physical health conditions can face additional safeguarding challenges both online and offline. Governing bodies and proprietors should ensure their child protection policy reflects the fact that additional barriers can 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 condition without further exploration.

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- these children being more prone to peer group isolation, ~~peer~~-child on ~~peer~~ child abuse or bullying (including prejudice-based bullying) than other children.
- the potential for children with SEND or certain medical conditions being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs, and
- communication barriers and difficulties in managing or reporting these challenges.
- cognitive understanding - being unable to understand the difference between fact and fiction in online content and then repeating the content/behaviours in schools or colleges or the consequences of doing so.

## 6. Facilities for pupils with SEN

The school complies with all relevant accessibility requirements. Please see the school's Accessibility Plan for more details.

## 7. Allocation of resources for pupils with SEN

All pupils with SEND will have access to Element 1 and 2 of a school's budget which equates to £6,000. Some pupils with SEND may access additional funding. For those with the most complex needs, additional funding is retained by the local authority. The school's Inclusion Leader will refer individual applications to a multi-agency panel, which is administered by the Local Authority, who will determine whether the level and complexity of need meets the threshold for this funding. It would then be the responsibility of the Inclusion Leader, Senior Leadership Team and Governors to agree how the allocation of resources is used.

## 8. Identification of pupils needs

### Identification

See definition of Special Educational Needs at start of policy

### A graduated approach:

#### Quality First Teaching - Wave 1

- a) Any pupils who are falling significantly outside of the range of expected academic achievement in line with predicted performance indicators and grade boundaries will be monitored.

- b) Once a pupil has been identified as possibly having SEN they will be closely monitored by staff in order to gauge their level of learning and possible difficulties.
- c) The child's class teacher will take steps to adapt the curriculum will aid the pupil's academic progression and enable the teacher to better understand the provision and teaching style that needs to be applied.
- d) A referral system is in place after discussion with the Inclusion Leader, who will be consulted as needed for support and advice and may wish to observe the pupil in class. See Appendix 1A for referral form.
- e) Through (b) and (d) it can be determined which level of provision the child will need going forward.
- f) If a pupil has recently been removed from the SEN register they may also fall into this category as continued monitoring will be necessary.
- g) Parents will be informed fully of every stage of their child's development and the circumstances under which they are being monitored. They are encouraged to share information and knowledge with the school.
- h) The child is recorded by the school as being under observation due to concern by parent or teacher but this does not automatically place the child on the school's SEN register. Any concerns will be discussed with parents informally or during parents' evenings.
- i) Parents' evenings are used to monitor and assess the progress being made by children.

### **SEN Support (waves 2 and 3)**

Where it is determined that a pupil does have SEN, parents will be advised of this and the decision will be added to the SEN register. The aim of formally identifying a pupil with SEN is to help school ensure that effective provision is put in place and so remove barriers to learning. The support provided consists of a four - part process:

- Assess
- Plan
- Do
- Review

This is an ongoing cycle to enable the provision to be refined and revised as the understanding of the needs of the pupil grows. This cycle enables the identification of those interventions which are the most effective in supporting the pupil to achieve good progress and outcomes.

#### **Assess**

This involves clearly analysing the pupil's needs using the class teacher's assessment and experience of working with the pupil, details of previous progress and attainment, comparisons with peers and national data, as well as the views and experience of parents. The

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pupil's views and, where relevant, advice from external support services will also be considered. Any parental concerns will be noted and compared with the school's information and assessment data on how the pupil is progressing.

This analysis will require regular review to ensure that support and intervention is matched to need, that barriers to learning are clearly identified and being overcome and that the interventions being used are developing and evolving as required. Where external support staff are already involved, their work will help inform the assessment of need. Where they are not involved they may be contacted, if this is felt to be appropriate, following discussion and agreement from parents.

## **Plan**

Planning will involve consultation between the teacher, Inclusion Leader and parents to agree the adjustments, interventions and support that are required, the impact on progress, development and or behaviour that is expected and a clear date for review. Parental involvement may be sought, where appropriate, to reinforce or contribute to progress at home.

All those working with the pupil, including support staff, will be informed of their individual needs, the support that is being provided, any particular teaching strategies/approaches that are being employed and the outcomes that are being sought.

## **Do**

The class teacher remains responsible for working with the child on a day-to-day basis. They will retain responsibility even where the interventions may involve group or one-to-one teaching away from the main class teacher. They will work closely with teaching assistants and to plan and assess the impact of support and interventions and links with classroom teaching. Support with further assessment of the pupil's strengths and weaknesses, problem solving and advising of the implementation of effective support will be provided by the Inclusion Leader.

## **Review**

Reviews of a child's progress will be made regularly. The review process will evaluate the impact and quality of the support and interventions. It will also take account of the views of the pupil and where necessary their parents. The class teacher, in conjunction with the Inclusion Leader, will revise the support and outcomes based on the pupil's progress and development making any necessary amendments going forward, in consultation with parents and the pupil.

## **Referral for an Education, Health and Care Plan**

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If a child has lifelong or significant difficulties they may undergo a Statutory Assessment process which is usually requested by the school but can be requested by a parent. This will occur where the complexity of need, or a lack of clarity around the needs of the child, are such that a multi-agency approach to assessing that need, to planning provision and identifying resources, is required.

The application for an Education, Health and Care Plans will combine information from a variety of sources including:

- Parents
- Teachers
- Inclusion Leader
- Social Care
- Health professionals
- Education Professionals (eg: SALT and EP)

Information will be gathered relating to the current provision provided, action points that have been taken, and the preliminary outcomes of targets set. A decision will be made by a group of people from education, health and social care about whether or not the child is eligible for an EHC Plan. Parents have the right to appeal against a decision not to initiate a statutory assessment leading to an EHC Plan.

Further information about EHC Plans can found via the SEND Local Offer:

[www.surreylocaloffer.org.uk](http://www.surreylocaloffer.org.uk)

Or by speaking to the North West Surrey Education, Health and Care Plan Co-ordinator on 01483 518110. Email: [nwsen@surreycc.gov.uk](mailto:nwsen@surreycc.gov.uk)

Or by contacting the Surrey SEND Information, Advice and Support Service on 01737 737300 <http://www.sendadvicesurrey.org.uk/>

## **Education, Health and Care Plans (EHCP)**

- a) Following Statutory Assessment, an EHC Plan will be provided by Surrey County Council if it is decided that the child's needs are not able to be met by the support that is ordinarily available. The school and the child's parents will be involved in developing and producing the plan.

- b) Parents have the right to appeal against some of the content of the EHC Plan. They may also appeal against the school named in the Plan if it differs from their preferred choice.
- c) Once the EHC Plan has been completed and agreed, it will be kept as part of the pupil's formal record and reviewed at least annually by staff, parents and the pupil. The annual review enables provision for the pupil to be evaluated and, where appropriate, for changes to be put in place, for example, reducing or increasing levels of support. The annual review process will usually take place before the anniversary of the plan's issue each year. The SENCO or Inclusion Leader will run the review meeting and will invite parent(s) and any professionals with ongoing involvement with the child, including the case officer.

## **9. Access to the curriculum, information and associated services**

Pupils with SEN will be given access to the curriculum through the specialist SEN provision provided by the school as is necessary, as far as possible, taking into account the wishes of their parents and the needs of the individual.

Every effort will be made to educate pupils with SEN alongside their peers in a mainstream classroom setting. Where this is not possible, the Inclusion Leader will consult with the child's parents for other flexible arrangements to be made.

Regular training and learning opportunities for staff on the subject of SEN and SEN teaching are provided both in school and across the STARS partnership of Surrey schools. Staff members are kept up to date with teaching methods, which will aid the progress of all pupils including those with SEN.

Class teachers look at the needs in the classroom and consider how the curriculum may need to be adapted, to encourage all children to achieve. We make sure that individual or group tuition is available where it is felt pupils would benefit from this provision.

We set appropriate individual targets that motivate pupils to do their best, and celebrating achievements at all levels.

## **10. Inclusion of pupils with SEN**

The Headteacher and Inclusion Leader oversee the school's policy for inclusion and are responsible for ensuring that it is implemented effectively throughout the school.

The school curriculum is regularly reviewed to ensure that it promotes the inclusion of all pupils. This includes learning outside the classroom.

The school will seek advice, as appropriate, around individual pupils, from external support services, such as Educational Psychologist, Speech and Language and Freemantles Outreach.

Identifying behaviour as a need is no longer a way of describing SEN. Any concerns relating to a child or young person's behaviour will be described as an underlying response to a need which the school will be able to recognise and identify clearly as the staff know the pupil well. Advice and support will be sought from the Inclusion Leader, through discussion and referral (Appendix 1A) for children who have behavioural concerns. In all cases, the school's Behaviour Policy will be followed. Where a behavioural incident warrants exclusion, schools have a duty to inform the Local Authority.

## **11. Evaluating the success of provision**

In order to make consistent and continuous progress in relation to SEN provision the school encourages feedback from staff, parents and pupils throughout the year. This is done in the form of an annual parent and pupil questionnaire, discussion and through progress meetings with parents.

Pupil progress will be monitored on a termly basis in line with the SEN Code of Practice.

SEN provision and interventions are recorded on individual **Provision Maps**, which are updated termly by the Inclusion Leader and SENCO in collaboration with the class teacher and Assessment Leader. These reflect information passed on by the Inclusion Leader at any given time and are adapted following assessments. Interventions are monitored and evaluated termly by the class teacher, SENCO and Inclusion Leader. Teachers meet termly with parents, to share the information in the Provision Map and parents sign to acknowledge receipt and confirm understanding of the contents (See Appendix A (1)).

## **12. Complaints procedure**

Our Complaints Policy follows the Surrey County Council complaints procedures. If a parent or carer has any concerns or complaints regarding the care or welfare of their child, an appointment can be made by them to speak to the Headteacher or Inclusion Leader, who will be able to advise on formal procedures for complaint.

## **13. In-service training (CPD)**

We aim to keep all school staff up to date with relevant training and developments in teaching practice in relation to the needs of pupils with SEN.

The Inclusion Leader attends relevant SEN courses and conferences, SEN network meetings and facilitates/signposts relevant SEN focused external training opportunities for all staff.

We recognise the need to train all our staff on SEN issues and we have funding available to support this professional development. The Inclusion Leader, with the senior leadership team, ensures that training opportunities are matched to school development priorities and those identified through the use of provision management (see Section 11).

## 14. Links to support services

The school continues to build strong working relationships and links with external support services in order to fully support our SEN pupils and aid school inclusion.

Sharing knowledge and information with our support services is key to the effective and successful SEN provision within our school. Any one of the support services may raise concerns about a pupil. This will then be brought to the attention of the Inclusion Leader who will then inform the child's parents.

## 15. Working in partnerships with parents

Westfield Primary School believes that a close working relationship with parents is vital in order to ensure:

- a) early and accurate identification and assessment of SEN leading to appropriate intervention and provision
- b) continuing social and academic progress of children with SEN
- c) personal and academic targets are set and met effectively

In cases where more frequent regular contact with parents is necessary, this will be arranged based on the individual pupil's needs. The Inclusion Leader may also signpost parents of pupils with SEN to the local authority SEND Advice, Information and Support Service, the EP Parent Advice Line or the Learners Single Point of Access, where specific advice, guidance and support may be required. Where needed, an Early Help Assessment may be undertaken to further support the family.

If an assessment or referral indicates that a pupil has additional learning needs the parents and the pupil will always be consulted with regards to future provision. Parents are invited to attend meetings with external agencies regarding their child, and are kept up to date and consulted on any points of action drawn up in regards to the provision for their child. The school's **SEN Governor, Joanna Cunningham**, may be contacted at any time in relation to SEN matters, through the **Clerk to the Governors**, [clerk@westfield.surrey.sch.uk](mailto:clerk@westfield.surrey.sch.uk)

## 16. Links with other schools

The school works in partnership with the other schools in the Surrey STARS partnership. This enables the schools to build a bank of joint resources and to share advice, training and development activities and expertise.

## 17. Links with other agencies and voluntary organisations

Westfield Primary School invites and seeks advice and support from external agencies in the identification and assessment of, and provision for, SEN. The Inclusion Leader is the designated person responsible for liaising with the following:

- Education Psychology Service
- Behaviour Support Service
- Children's Services
- Speech and Language Therapy Service
- Occupational Therapy Service
- Children's Paediatric Services
- Language and Learning Support Service
- Physical and Sensory Support Services
- Specialist Outreach Services, e.g. Freemantle's School
- CAMHS
- REMA
- Surrey Young Carers

In cases where a child is under observation or a cause for concern, focused meetings will be arranged with the appropriate agency, with the consent of the parent.

## 18. Acronyms often used within SEND provision.

Acronym	Full name/ meaning
SEND	Special Educational Needs and Disabilities
CoP	SEND Code of Practice January 2015
REMA	Race, Equality and Minority Achievement service, including Traveller Support Services
PSSS	Physical and Sensory Support Service
SALT/SLT	Speech and Language Therapy
CAMHS	Child and Adolescent Mental Health Services
LLS	Learning and Language Support Services
BS	Behaviour Support Services
EP	Educational Psychologist
Provision map	Individual education plan, identifying the pupil's primary need and any other needs. Outcomes will be set by the class teacher along with any outside

	agencies targets, as well as identification of actions needed to support the outcomes.
EHCP	Educational Health Care Plan has now replaced the Statement of SEN
Surrey SEND Support Arrangements	Replaces Surrey Pathway Plan
EHA	Early Help Assessment has replaced the CAF (Common Assessment Framework)
SEN Support	Single category of SEN which combines the two categories School Action and School Action Plus.
IHP	Individual Healthcare Plan- linked to specific medical need of a pupil in school.
SSIASS	Surrey SEND Information, Advice and Support Service .

Core Offer: Waves 1,2 and 3	
Wave 1	Quality First teaching for all pupils
Wave 2	Targeted pupils who receive interventions enabling them to work at age-related expectations or above
Wave 3	SEND pupils who receive additional, highly personalised interventions

<b>Banding Matrix:</b> The matrix follows a <b>graded response</b> where the arrangements increase in complexity/intensity from the core offer (wave 1, 2 and 3) through to band 4. Each band builds on the arrangements described in the previous band(s).	
Band 0	Core offer: children with additional needs who do not meet the threshold for an EHCP
Band 1	Pupils who are most likely to meet the threshold for an EHCP
Band 2	↓ ↓ ↓
Band 3	
Band 4	

<b>Areas of Special Educational Need:</b>	
<ol style="list-style-type: none"> <li>1. Communication and interaction</li> <li>2. Cognition and learning</li> <li>3. Social, mental and emotional health</li> <li>4. Sensory and/or physical</li> </ol>	
Communication and Interaction (C&I)	SLCN: Speech, Language and Communication Needs ASD: Autistic Spectrum Disorder which includes Asperger's Syndrome and Autism

Cognition and Learning (C&L)	SLD: severe learning difficulty SpLD: Specific Learning difficulty MLD: Mild learning difficulty PMLD: Profound and multiple learning difficulty
Social, Mental and Emotional Health (SMEH)	Replaces the previous category of BESD (Behaviour, Emotional and Social Difficulties) and includes ADD: Attention Deficit Disorder ADHD: Attention Deficit Hyperactivity Disorder ODD: Oppositional Defiance Disorder
Sensory and/or Physical	VI: Visual Impairment HI: Hearing Impairment MSI: Multi-Sensory Impairment PD: Physical Difficulty

**Signed** \_\_\_\_\_ Mrs Karyn Hing  
**(Headteacher)**

Date \_\_\_\_\_

**Signed** \_\_\_\_\_ Mrs Julia Findlay  
**(Inclusion Leader)**

Date \_\_\_\_\_

**Signed** \_\_\_\_\_ Ms Joanna Cunningham  
**(SEN Governor)**

Date \_\_\_\_\_

**This policy will be reviewed annually.**

Appendix 1A -Internal Referral Form for Support



# Westfield Primary School

Bonsey Lane, Woking, Surrey, GU22 9PR

Email: [info@westfield.surrey.sch.uk](mailto:info@westfield.surrey.sch.uk)

Phone: 01483 764187

[www.westfield.surrey.sch.uk](http://www.westfield.surrey.sch.uk)

## Referral form to SENCo for learning and language, or/and behaviour support

Name of Pupil:		Gender:	
Class and year group:			
Date of Birth:		Name of referrer:	
Other information such as DAP/EAL/SEN/PP			
Outside agency involvement			
Current interventions			
Current Levels:	English:	Maths:	Science:
Concerns/issues experiencing:			

**Involvement Requested (please tick)**

Learning and Language		Behaviour Support	
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## 4 Questions

What have we tried?



What have we learned?



What are we pleased about?



What are we concerned about?



# Speech & Language Communication and Interaction CHECKLIST Page 1 of 2

<b>School:</b>	<b>Completed by:</b>		
	<b>Role:</b>		
<b>Child's Name:</b>	<b>Date of Birth:</b>		
Please tick the cell that best represents the degree of difficulty the child has with that communication skill.	Never		Most of the time

## A RECEPTIVE LANGUAGE

### Attention & listening

● Needs significantly more reminders to listen in classroom setting when compared to his peers					
● Needs significantly more reminders to listen in 1:1 / small group when compared to his peers					

### Understanding Language in context

● Questions / instructions misunderstood significantly more often than when compared to his peers.					
● Needs significantly more time to respond to spoken language when compared to his peers.					
● Needs spoken language repeated and/or simplified significantly more often than his peers.					
● Becomes disengaged during longer explanations or stories in class, when compared to his peers.					
● Repeats instruction / question instead of responding					
● Understanding of instructions is dependent on routines and / or watching peers.					

### Understanding vocabulary & abstract language

● Has significantly more difficulty understanding new vocabulary / concepts when compared to his peers.					
● Has more literal understanding than expected of a child of his age (e.g. of idioms, sarcasm, figurative language, jokes)					
● Has difficulty making inference/implicit meaning from given information compared to his peers					

## B EXPRESSIVE LANGUAGE

### Use of vocabulary

● Significantly limited use of vocabulary compared to his peers in class					
● Has significantly more difficulty using and generalising new vocabulary than his peers.					
● Struggles to "find" words, despite knowing them (e.g. uses "thingy", "that", "you know" more than his peers)					

### Use of grammatical structures

● Uses "immature" grammar compared to his peers (e.g. plurals, verb tenses, pronouns)					
● Confuses order of words in a sentence/word order muddled (may also stop and start)					
● Has significant difficulty using complex sentences compared to his peers (e.g. conjunctives / connectives)					
● Consistently uses no more than three/four words in a sentence or uses significantly shorter sentences than his peers					

### Use of narrative

● Gives limited information and struggles to convey meaning when recounting stories/events compared to his peers.					
● Tends to ramble and not know when to stop talking; tends to go "off the point"					
● Shows frustration / reluctance when required to contribute / explain ideas					

Sp

# Speech & Language Communication and Interaction CHECKLIST Page 2 of 2

<b>Child's Name:</b>	Never		Most of the time
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**What are you hoping for from this request for involvement/How would you like things to change?**

**Pupil Perspective:-**

**How does the pupil currently view themselves in school?**

**What are the pupil's key motivators and main interests?**



## Appendix A Provision Map



### Westfield Primary School Individual Provision Map

Name: \_\_\_\_\_ d.o.b. \_\_\_\_\_ SEN Support/SEN Support+/EHCP \_\_\_\_\_ First language: \_\_\_\_\_

Year/Class	Teacher	Support adults

	Maths	Reading	Writing	S&L
Summer 2017				
Autumn 2017				
Spring 2018				
Summer 2018				

Primary need	Other needs

More detailed information
Cognition and learning:
Communication and Interaction:
Social, Mental and Emotional Health:
Sensory and Physical:



**(Pupil's Name) Plan**

Date	Outcome	Which need is this linked to?	Actions to support this outcome	By whom/by when	Review date	Progress made towards outcomes (if new outcomes agreed add to first column)	New actions agreed	By whom/by when
Spring 2017								

**Outside agency involvement**

Team/Service and Name	Date of involvement	Action

Appendix A (1) Parent Provision Map Statement

Name of child..... Class.....

I understand the actions on this Provision Map and that they are in place to support my child to reach their outcomes, which I also understand. I agree that the expectations of my child are high and that the school is supporting my child well. I understand that I need to share any concerns that I have with the Inclusion Leader through making an appointment through the school office.

Signed:.....

Relationship to child:.....

Date:.....

One copy for the parent to keep.

One copy to be scanned in and emailed to the SENCo by the class teacher.



# SEND Support Arrangements

**Name:**

*To be used in conjunction with the SEND Support Arrangements Guidance for Education settings*

**[FIRSTNAME]'s Surrey SEND Support Arrangements  
One Page Profile**

**Photo (Optional)**

**What is important to me.**

**What people like about me  
and what I like about  
myself**

**How best to support me.**

<b>Date Completed</b>	
<b>Completed by</b>	

Pupil Name:

Special Educational Needs Policy Spring 2023 (April) (Rev September 2023)

## **SECTION 2** - [FIRSTNAME]'s SEND Support Arrangements

Version:
Draft or Final: <b>Draft</b>

	Date
Original SEND Support Plan:	
Amendment 1:	
Amendment 2:	
Amendment 3:	

<b>Contents</b>	<b>Pages</b>
<b>Section 1</b> One Page Profile	
<b>Section 2</b> SEN Support Arrangements	
<b>Section 3</b> [FIRSTNAME]'s story	
<b>Section 4</b> [FIRSTNAME]'s special educational needs and other needs	
<b>Section 5</b> SEN Support Arrangements	
<b>Section 6</b> Progress data	
<b>Section 7</b> Resources	
<b>Section 8</b> Log of external practitioners involvement	
<b>Section 9</b> Supporting Information	

<b>Who else has been included in writing this plan?</b>

Pupil Name:

Special Educational Needs Policy Spring 2023 (April) (Rev September 2023)

## Further details

Family Name:		First Name:	
Known as:			
Date of birth:		Gender:	
NHS/NI/ICS/other registration numbers:			
Parent/carer names:			
Who has parental responsibility?:			
LAC status:			
Siblings:			
Contact address for child or young person:			
Contact addresses for parent/carers:			
Telephone:		Mobile:	
Email:			
SEND Case Worker Name and Email			
Year group:		Placed out of year:	
Ethnicity:		First language:	
Language used at home:		Religion:	
Main communication method:			
Language interpretation support needed:			
GP Name and contact details:			
Current consultant(s) details:			
Other practitioners who are/have been involved (Name, email, telephone):			
Times that are difficult for me or family to attend appointments:			
Barriers that might make it more difficult for me or family to attend appointments:			
Other relevant plans:			
Other useful information:			

## School Details

School Name:	Westfield Primary School	School Contact Name:	Julia Findlay
Address:	Bonsey Lane, Westfield, Woking, Surrey	Postcode	GU22 9PR
Email (if any):	inclusionleader@westfield.surrey.sch.uk		

Pupil Name:

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### **SECTION 3 – [FIRSTNAME]’s story**

**Firstname’s story** – play, health, schooling, independence, friends and relationships, further education, future plans.

**Firstname’s family’s story**

**More information on how to support Firstname’s and his/her family**

**Firstname’s aspirations**

**Firstname’s family’s aspirations for him/her**

**How Firstname’s and his/her family have taken part in this plan**

### **SECTION 4 - [FIRSTNAME]’s special educational needs and other needs**

Pupil Name:

Special Educational Needs Policy Spring 2023 (April) (Rev September 2023)

**Summary of key strengths and areas of need**

--

**More detailed information:**

**Communication and Interaction**

**Strengths and achievements:**

- 

**Special Educational Needs:**

- 

**Cognition and Learning:**

**Strengths and achievements:**

- 

**Special Educational Needs:**

- 

**Social, Emotional and Mental Health:**

**Strengths and achievements:**

- 

**Special Educational Needs:**

- 

**Sensory and Physical:**

**Strengths and achievements:**

- 

**Special Educational Needs:**

- 

**Summary of other needs**

Pupil Name:

*Prompt questions:*

- 1. Are there any concerns outside of school which impact on your child's learning and well-being and/or make it more difficult for you to help your child e.g. housing, finance, family support networks.*
- 2. Is there anything else you feel it is important for us to know about your child's learning and behaviour at home?*
- 3. Is there any support you feel would help you as a parent/carer in supporting your child/family?*

<b>Early Help Assessment Considered but not necessary</b>	Date of Decision:
<b>Early Help Assessment Completed</b>	Date of Decision:

*NB. If the child or young person is 18 or over these questions should be directed to the young person rather than the parent/carer unless the parent/carer advocacy for the young person or the young person has requested input from the parent/carer.*

Pupil Name:

**SECTION 5 – SEN Support Arrangements Plan**

**Start date:**

**Pupil name:**

**Plan number:**

*[Please extend boxes / add additional outcomes as necessary]*

<b>OUTCOME (1)</b> <i>Must link with special educational need evidences in Section 4</i>	<b>Arrangements in place</b>	<b>Review Date</b>	<b>Progress Review</b> <b>What has gone well? / Barriers to further progress</b>

<b>OUTCOME (2)</b> <i>Must link with special educational need evidences in Section 4</i>	<b>Arrangements in place</b>	<b>Review Date</b>	<b>Progress Review</b> <b>What has gone well? / Barriers to further progress</b>

Pupil Name:

<b>OUTCOME (3)</b> <i>Must link with special educational need evidences in Section 4</i>	<b>Arrangements in place</b>	<b>Review Date</b>	<b>Progress Review</b> <b>What has gone well? / Barriers to further progress</b>

<b>OUTCOME (4)</b> <i>Must link with special educational need evidences in Section 4</i>	<b>Arrangements in place</b>	<b>Review Date</b>	<b>Progress Review</b> <b>What has gone well? / Barriers to further progress</b>

Pupil Name:

**SECTION 6 – [FIRSTNAME]'s Progress Data**Data attached *(please state below)*

<b>Progress tracker (to include EYFS/National Curriculum levels)</b>	Yes / No
<b>Standardised assessments</b>	Yes / No
<b>Other, please specify:</b>	Yes / No

**SECTION 7 - Resources**

	<b>Date</b>	<b>Attached (YES/NO)</b>
<b>Costed provision map 1</b>		Yes / No
<b>Costed provision map 2</b>		Yes / No

OR

	<b>Date</b>	<b>Attached (YES/NO)</b>
<b>Schedule 2 IPA</b>		Yes / No

OR

	<b>Date of receipt</b>	<b>Costed provision map attached (YES/NO)</b>
<b>Early Years Inclusion Grant</b>		Yes / No
<b>Discretionary funding</b>		Yes / No

**SECTION 8 - Log of external practitioner's involvement**

Team/service and name	Date of involvement	Report in supporting information B (Yes/ no)

**SECTION 9 - Supporting information**

Please enter any supporting information below

# Reasonable Adjustments for Disabled Pupils

*Guidance for Schools in England*

Schools and education authorities have had a duty to provide reasonable adjustments for disabled pupils since 2002: originally, under the Disability Discrimination Act 1995 (the DDA 1995); and, from October 2010, under the Equality Act 2010. This guide will help school leaders and education authorities understand and comply with the reasonable adjustment duty, it will also help disabled pupils and their parents understand the duty.

From 1 September 2012, the reasonable adjustments duty for schools and education authorities includes a duty to provide auxiliary aids and services for disabled pupils. The decision to bring this duty into force was taken by the Department for Education after a public consultation, with a positive response to its introduction without additional regulation from the majority of respondents.

The duty to provide auxiliary aids is not a new one, and already applies in other contexts such as employment, service provision, and further and higher education. This chapter explains how the requirement to include auxiliary aids and services within the reasonable adjustments duty works in schools and local authorities.

The focus of this guide is on the practical implementation of the reasonable adjustment duty in schools. It includes case studies showing how the duty can be applied in contexts which will be familiar to teachers.

The guide also gives answers to frequently asked questions about the reasonable adjustments duty.

## Who is this guide for?

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This guide is for education authorities, governing bodies, head teachers, special educational needs co-ordinators (SENCOs) and staff at all primary and secondary schools (including academies and free schools), pupil referral units (PRUs), and independent schools, as well as for parents and disabled pupils.

Throughout this kind the term 'school' is used to refer to both schools and local authorities.

## What is the reasonable adjustments duty?

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The duty is 'to take such steps as it is reasonable to have to take to avoid the substantial disadvantage' to a disabled person caused by a provision, criterion or practice applied by or on behalf of a school, or by the absence of an auxiliary aid or service.

In the Equality Act 2010 as a whole, there are three elements to the reasonable adjustments duty that relate to:

Provisions, criteria and practices

Auxiliary aids and services

Physical features

The physical features element does not apply to schools in relation to disabled pupils; instead, they have a duty to plan better access for disabled pupils generally, including in relation to the physical environment of the school.

The duty to make reasonable adjustments in relation to provisions, criteria and practices is not a new duty for schools and is the same as the duty under the DDA 1995. The new element of the duty for schools is the provision of auxiliary aids and services for disabled pupils.

Many of the reasonable adjustments that schools are already making for disabled pupils undoubtedly include the use of some auxiliary aids, such as coloured overlays for dyslexic pupils, pen grips, adapted PE equipment, adapted keyboards and computer software.

The duty to make reasonable adjustments requires a school to take positive steps to ensure that disabled pupils can fully participate in the education provided by the school, and that they can enjoy the other benefits, facilities and services that the school provides for pupils.

Many reasonable adjustments are inexpensive and will often involve a change in practice rather than the provision of expensive pieces of equipment or additional staff.

A school's duty to make reasonable adjustments is an anticipatory one owed to disabled pupils generally, and therefore schools need to think in advance about what disabled pupils might require and what adjustments might need to be made for them.

## Who does the duty apply to?

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The reasonable adjustments duty is owed to disabled pupils, as defined in the Equality Act 2010.

The Act says that a pupil has a disability if he or she has a physical or mental impairment that has a long-term and substantial adverse effect on his or her ability to carry out normal day-to-day activities. Physical or mental impairment includes sensory impairments such as those affecting sight or hearing.

The definition of disability is explained in more detail in Chapter 5 of the *Technical guidance for schools in England*. This and more guidance on the definition of disability is available online at [www.equalityhumanrights.com](http://www.equalityhumanrights.com).

Some disabled pupils will also have special educational needs (SEN) and may be receiving support via school-based SEN provision or have a statement of SEN or an education, health and care plan (EHC plan). The fact that a disabled pupil has SEN, an SEN statement or EHC plan does not take away a school's duty to make reasonable adjustments for that pupil.

In practice, of course, many disabled pupils who also have an SEN statement or EHC plan will receive all of the support they need through the SEN framework and there will be nothing extra that the school has to do. However, some disabled pupils will not have SEN and some disabled pupils with SEN will still need reasonable adjustments to be made for them, in addition to any support that they receive through the SEN framework.

## What is meant by 'substantial disadvantage'?

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The reasonable adjustments duty is triggered only where there is a need to avoid 'substantial disadvantage'. 'Substantial' is defined as being anything more than minor or trivial. Whether a disabled pupil is at a substantial disadvantage or not will depend on the individual situation.

**Example** — A disabled pupil with severe manual dexterity difficulties finds it difficult to write large amounts of text by hand and so this takes him considerably longer than other pupils. In a lesson in which large amounts of text are being copied from the board, he would be at a substantial disadvantage. However, in a lesson in which there is no handwriting required, he would not be at a substantial disadvantage in

relation to his difficulties with handwriting.

The pupil must be at a substantial disadvantage in comparison with non-disabled pupils. In most cases, this will be obvious.

**Example** — A visually impaired pupil who can see material only in 16pt font or larger will be at a substantial disadvantage compared to non-disabled pupils if materials are provided in smaller print.

In other cases, it will not be so obvious, but it will be no less a substantial disadvantage.

**Example** — A pupil with chronic fatigue syndrome finds it harder to concentrate in lessons in the afternoon as a result of an increase in her tiredness.

## What does the duty cover?

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The phrases 'provision, criterion and practice' and 'auxiliary aids and services' are not defined in the Act. The duty in relation to provisions, criteria and practices covers the way in which a school operates on a daily basis, including its decisions and actions.

**Example** — A school uniform policy would fall within this element of the reasonable adjustments duty and a school may be required to make adjustments to this policy for disabled pupils with an allergy to synthetic materials who need to wear cotton clothing.

The duty in relation to the provision of auxiliary aids and services generally means anything that constitutes additional support or assistance for a disabled pupil, such as a piece of equipment or support from a member of staff.

**Example** — Providing a pupil who is a wheelchair user with a support assistant to push him or her around school would be an auxiliary service. Providing a step so that a pupil with restricted growth syndrome can reach the desks in the science lab would be an example of providing an auxiliary aid.

## What is meant by ‘reasonable’ steps

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The duty to make reasonable adjustments requires schools to take what are referred to in the Act as ‘reasonable steps’ to make adjustments.

The Act does not say what is ‘reasonable’. This allows flexibility for different sets of circumstances so that, for example, what is reasonable in one set of circumstances may not be reasonable in another.

The crux of the reasonable adjustments duty is not whether something is an auxiliary aid or whether it is an adjustment to a practice, but whether it is something that is **reasonable** for the school to have to do. It is not possible for a school to justify a failure to make a reasonable adjustment; the question is only whether or not the adjustment is reasonable.

While it is not possible to say what will or will not be reasonable in any particular situation, some of the factors that are likely to be taken into account in deciding what it is or is not reasonable for a school or a local education authority to have to do are set out below. These factors are based on those that tribunals and courts have already taken into account when considering reasonable adjustments under the equivalent provisions in the DDA 1995.

The purpose of taking the steps is to ensure that disabled pupils are not placed at a substantial disadvantage compared to non-disabled pupils. The duty to make reasonable adjustments equates to ensuring that steps are taken to provide the best possible education for disabled pupils.

If, having considered the issue thoroughly, there are genuinely no steps that it would be reasonable for a school to take to make its education, benefits, facilities or services more accessible, the school is unlikely to be in breach of the law if it makes no changes. It is unlikely, though, that there will be nothing that a school will be able to do for a pupil in such a situation.

Where a school or local authority decides that there are no reasonable steps that it can take, it is important that it sets out its reasons for this decision so that, if it is challenged by the child's parents, it can explain to them and, if necessary, a tribunal why it has acted in the way that it has.

### **Factors to be taken into account**

Without intending to be exhaustive, the following are some of the factors that are likely to be taken into account when considering what adjustments it is reasonable for a school to have to make:

The extent to which special educational provision will be provided to the disabled pupil under Part 3 of the Children and Families Act 2014

The resources of the school and the availability of financial or other assistance

The financial and other costs of making the adjustment

The extent to which taking any particular step would be effective in overcoming the substantial disadvantage suffered by a disabled pupil

The practicability of the adjustment

The effect of the disability on the individual

Health and safety requirements

The need to maintain academic, musical, sporting and other standards

The interests of other pupils and prospective pupils

*The extent to which special educational provision will be provided to the disabled pupil under Part 3 of the Children and Families Act 2014*

There is a significant overlap between those pupils who are disabled and those who have SEN.

Many disabled pupils may receive support in school through the SEN framework. In some cases, the substantial disadvantage that they experience may be overcome by support received under the SEN framework and so there will be no obligation under the Act for the school or local authority to make reasonable adjustments.

**Example** — A disabled pupil has an EHC plan and attends a maintained mainstream secondary school. Through her EHC plan, she receives two hours a week of specialist teaching and uses an electronic notetaker in lessons. Because the support that she requires is provided through her EHC plan, the school does not therefore have to make reasonable adjustments by providing these auxiliary aids and services

for her.

In other cases, a disabled pupil may need reasonable adjustments to be made in addition to the special educational provision that he or she is receiving.

**Example** — An infant school disabled pupil with attention deficit hyperactivity disorder (ADHD) receives some individual teaching assistant support through the SEN framework. He is diagnosed with severe asthma and needs assistance with his nebuliser. Although this is not a special educational need, his asthma is likely to be a disability for the purpose of the Act and so a failure to provide a reasonable adjustment will place him at a substantial disadvantage. The school trains his teaching assistant and she provides him with the assistance that he needs. This would be a reasonable adjustment for the school to make.

Some disabled pupils are not classified as having SEN, but if they are disabled and are suffering a substantial disadvantage, they may still need reasonable adjustments to be made.

**Example** — A disabled pupil at an infant school has diabetes, and requires daily support with reading blood sugar levels and insulin injections. He is not classified as having SEN and therefore receives no support through the SEN framework. He is, however, disabled and therefore, if the lack of daily support places him at a substantial disadvantage, the school would be under a duty to make the adjustment of providing the support, if it would be reasonable to do so.

There will be some instances in which a disabled pupil is provided with support from another agency. In these cases, it would not be reasonable to expect the school to duplicate this support.

*The resources of the school and the availability of financial or other assistance*

It is more likely to be reasonable for a school with substantial financial resources to make an adjustment with a significant cost than for a school with fewer resources. The resources available to the school as a whole in practice – such as its staffing

levels – should be taken into account, as well as other calls on those resources. The reasonableness of an adjustment will depend not only on the resources available in practice for the adjustment, but also on all other relevant factors (such as effectiveness and practicability). It may also be relevant to consider what other similar schools spend on adjustments.

**Example** — A disabled pupil with cerebral palsy uses a manual wheelchair occasionally, but not every day. The wheelchair that he normally uses is being repaired and so he is having difficulties moving around the school. The school has a wheelchair that it allows him to use in school until his is repaired. This is a reasonable adjustment for the school to make because the school already has this resource available to it. However, if the school did not have a wheelchair, it would not be expected to purchase one for the pupil as a reasonable adjustment.

If a disabled pupil has a particular piece of special or adapted equipment that he or she is prepared to use while at school, it may be reasonable for the school to allow the use of the equipment.

#### *The financial and other costs of making the adjustment*

If an adjustment costs little or nothing to implement, it is likely to be reasonable to do so unless some other factor (such as practicability or effectiveness) makes it unreasonable. The costs to be taken into account include those of staff and other resources. The significance of the cost of a step may depend in part on what the school might otherwise spend in the circumstances and also on what other schools, in similar situations, might spend.

In assessing the likely costs of making an adjustment, the availability of external funding should be taken into account. The latter is most likely to be significant when funding is available through the SEN framework.

#### *The effectiveness of the step in avoiding the disadvantage*

Schools need to think carefully about what adjustments can be made to avoid the disadvantage experienced by the individual disabled pupil. Even pupils with the same disability might need different adjustments to overcome the disadvantage. It is important not to make assumptions about a disabled pupil's needs, because this may lead a school to provide a completely ineffective adjustment.

**Example** — A school admits a disabled pupil who is deaf and decides, without consulting the pupil, to install an induction loop in all teaching rooms – but the pupil does not use a hearing aid and so is unable to benefit from the induction loop. The pupil reads lips and so a reasonable adjustment would have been to tell all staff to ensure that they face the pupil when speaking to him.

It is unlikely to be reasonable for a school to have to make an adjustment involving little benefit in reducing the disadvantage experienced by the disabled pupil, even if the pupil requests this. If this is the only possibility, however, of avoiding the disadvantage and there is a prospect of it having some positive effect, then it may be reasonable for the school to have to take the step.

Where, however, there are other reasonable steps that a school could take, it is unlikely that a school will discharge its reasonable adjustments duty if the adjustment made provides little benefit to the pupil.

However, if an adjustment, when taken alone, is of marginal benefit but may be one of several adjustments that, if grouped together, would be effective in overcoming the disadvantage, in that case, it would be reasonable for the school to make the adjustment.

**Example** — A disabled pupil with chronic fatigue syndrome finds moving around a large three-floor secondary school very tiring and, despite the school adjusting the timetable and location of classes to minimise the amount that she has to move around the school, she is still too exhausted to complete the school day. The school then makes further adjustments, giving her a ‘buddy’ to carry her books for her, using a dictaphone to record those lessons that she misses and establishing a policy that she will not be penalised for arriving at lessons late. These adjustments enable her to attend more lessons and to be less disadvantaged when she does miss lessons.

It will usually be a matter of discussing with the pupil, and those who know him or her, what those needs are and what is likely to be most effective.

### *The practicability of the adjustment*

It is more likely to be reasonable for a school to have to make an adjustment that is easy than one that is difficult, although in some circumstances it may be reasonable to have to make an adjustment, even if it is difficult.

#### **Examples —**

A visually impaired child requires printed handouts to be prepared in 16 pt font or larger. This can easily be accommodated by ensuring that fonts are reset to this size prior to any documentation being printed.

A pupil who is a wheelchair user is unable to access classes on the first floor. A reasonable adjustment would be for the school to rearrange the timetabling and location of classes so that all of her classes are on the ground floor. Although this may be difficult, it does not mean it is not a reasonable adjustment for the school to make. If specialist facilities such as science labs are available only on the first floor, then it may not be possible to move classes that require the use of the specialist equipment to a different classroom; in this case, the school will need to consider what other adjustments it could make to enable the disabled pupil to access learning opportunities equivalent to those of her peers.

### *The effect of the disability on the individual*

The effect of a disability on a particular pupil will affect the adjustments that it is reasonable for a school to make.

#### **Example —**

A disabled pupil with dyslexia finds it very difficult to read text typed on white paper. The school provides handouts on yellow paper for her. This would be a reasonable adjustment for this pupil.

Another disabled pupil with dyslexia finds it difficult to read text on **any** colour of paper without a plastic overlay sheet. The school provides the pupil with a plastic overlay sheet to use in all lessons. This would be a reasonable adjustment for this pupil.

### *Health and safety requirements*

The Act does not override health and safety legislation. If making a particular adjustment would increase the risks to the health and safety of any person (including the disabled pupil in question), then this is a relevant factor in deciding whether it is reasonable to make that adjustment.

However, as with the approach to any question of health and safety, and risk assessment, schools are not required to eliminate all risk. Suitable and sufficient risk assessments should be used to help the school to determine where risks are likely to arise and what action can be taken to minimise those risks. Risk assessments should be specific to the individual pupil and the activities in question. Proportionate risk management relevant to the disability should be an ongoing process throughout a disabled pupil's time at the school.

There might be instances in which, although an adjustment could be made, it would not be reasonable to do so because it would endanger the health and safety either of the disabled pupil or of other people. There might be other instances in which schools could make anticipatory reasonable adjustments in line with health and safety legislation, ensuring compliance with, and not infringing, that legislation.

Health and safety issues must not be used inappropriately to avoid making a reasonable adjustment. Schools should avoid making uninformed assumptions about health and safety risks.

#### **Examples —**

A disabled pupil with a stair-climbing wheelchair applies to a large secondary school with several flights of stairs. The school prevents him from using the stair-climbing wheelchair in the school because it thinks that it will be dangerous. However, after carrying out a risk assessment and finding out more about the wheelchair, the school realises that it does not present a significant health and safety risk, and therefore that it would be reasonable for the school to allow him to use it.

A disabled pupil who attends a mainstream school has a tracheostomy, which needs monitoring, and he needs occasional intervention to clear his airways. The school carries out a risk assessment, and identifies that he needs to have a member of staff who is able to provide the necessary monitoring and intervention with him at all times. The school has several support staff who are trained and

contractually obliged to administer medication to pupils. The school arranges for these staff and any others who volunteer to be trained in tracheostomy care, and then timetables the trained staff so that one is always able to monitor the pupil. All staff are trained in identifying when the pupil needs intervention and are provided with radio microphones, so that they can summon assistance from another member of staff if necessary. These are reasonable adjustments for the school to make in response to the risk assessment.

A disabled pupil with epilepsy applies to be admitted to his local primary school. His parents speak to the head teacher and express their concern that someone at the school needs to be trained to provide the necessary medical support if the pupil has a seizure in school. The head teacher carries out a risk assessment, and seeks advice from the local authority and from another school in the area with a pupil with epilepsy. She identifies that the risks decrease the more members of staff are trained and able to assist in the case of a seizure. The head teacher decides to provide training to all staff, teaching and non-teaching, as part of an Inset day; then, after the training has been undertaken, she asks staff to volunteer to agree to support the pupil and to administer the necessary medication. The head teacher also puts in place an individual healthcare plan for the pupil, which includes instructions on how the medication is to be administered, and the need for a second adult to witness the dosage and administration of the medication. Although no individual member of staff is required to undertake the training, by offering it to all staff it is possible to maximise the number of people who can assist, to raise staff awareness generally and to minimise the health risk for the pupil. This could be a reasonable adjustment for the school to make.

### *The need to maintain academic, musical, sporting and other standards*

The reasonable adjustments duty does not prevent a school from choosing its best footballers, singers or mathematicians where a consideration of standards is relevant, for example in an inter-school competition. However, it should not be assumed that a consideration of standards will mean that a disabled pupil will be barred from an activity.

**Example** — A school regularly takes part in football matches with other local schools and selects its best footballers to play in the team. A pupil who is a wheelchair user is very keen on sport, but not able to play football at the necessary standard to be chosen for the team. The school is not required, as a reasonable adjustment, to select him for the team, because it is permitted to select only the best football players.

### *The interests of other pupils and prospective pupils*

Ordinarily, the interests of other pupils regarding the reasonable adjustments required by a disabled pupil will be irrelevant. However, there are limited circumstances in which the provision of a particular reasonable adjustment for a disabled pupil will disadvantage other pupils. This is relevant only where the adjustment results in significant disadvantage for other pupils. In such a case, it may not be reasonable to expect the school to make the adjustment.

**Example** — A disabled pupil has a skin condition that is aggravated by cold and his parents ask that his classroom is kept at a very hot temperature. However, this would mean that the other pupils in the class would be uncomfortably hot. The school may not be expected to keep the classroom at the requested temperature, but it could take other steps, such as raising the classroom temperature to a level that is still comfortable for other pupils, placing the pupil in the hottest part of the room, such as by a radiator, and relaxing the school uniform policy to allow him to wear warmer and more comfortable clothing.

There will, however, be other instances in which there is a duty to make an adjustment despite some inconvenience to others. In deciding what adjustments are reasonable, it is important to weigh the level of inconvenience to others against the substantial disadvantage faced by the disabled pupil.

### **Examples —**

A primary school plans a school trip to a local history museum in its town to undertake some activities. One of the pupils in the class is deaf and, because the museum does not have a hearing loop installed, she will be unable to participate in the trip. The school

decides to change the trip and attend a museum in a neighbouring town, which has a hearing loop. Although this will cause some inconvenience to the other pupils because the travel time to and from school is longer, the school decides that this is a reasonable adjustment to make given the substantial disadvantage faced by the disabled pupil if she is unable to attend the trip.

A secondary school takes its year 7 pupils on a week-long outdoor activity course every year. The school always goes to the same place, which offers a wide range of exciting activities in which the pupils can participate. This year, one of the year 7 disabled pupils has to have kidney dialysis on a daily basis, so needs to be able to return home every day. In deciding on what adjustment to make for the disabled pupil, the school considers cancelling the trip and seeking an alternative, such as day trips closer to the school. The school weighs up whether denying pupils the opportunity to attend the week-long trip is reasonable and decides to stick with the planned trip to the outdoor activities centre so that pupils do not miss out on this valuable residential experience, and are not required to travel to and from activities each day. But, to minimise the disadvantage faced by the disabled pupil, the school arrange for transport from his home to attend the centre for day visits on three days of the week, so that the pupil has the benefit of being able to participate in the activities with his peers. If the school had not made this adjustment, he would not have been able to participate at all. This is likely to be a reasonable step for the school to have to take. It is unlikely to be reasonable for the school to have to alter its decision to undertake the week-long activities course.

### **Charging for providing reasonable adjustments**

It is unlawful for a school to charge a pupil for making a reasonable adjustment in any circumstances, whatever the financial cost to the school and however the school is funded. However, as set out on page 6, the cost of an adjustment is one of the factors to be taken into account when considering whether or not the adjustment is reasonable.

**Example** — An independent school provides a dyslexic disabled pupil

with overlay sheets to assist him in reading text, along with weekly sessions with a specialist teacher. The school adds the cost of these adjustments to the pupil's school fees. This would be discrimination.

## Frequently asked questions (FAQs)

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### Auxiliary aids

**Q:** What has changed since September 2012?

**A:** Schools and local authorities now have additional obligations towards disabled pupils to provide what are called 'auxiliary aids and services' to overcome disadvantages that these pupils experience in schools.

**Q:** Is that not something with which the SEN framework deals?

**A:** Many disabled children will have statements of SEN or EHC plans and auxiliary aids that are necessary as part of their SEN provision will be provided through the statement or EHC plan. In these cases, the schools will be under no obligation to duplicate that support. The great majority of children with SEN do not have statements or EHC plans, however, and that will include disabled children who require auxiliary aids or services to prevent them being at a substantial disadvantage. Many schools will already be doing this and so it will add little or nothing to their existing regime. But it is important that all staff know about these new obligations.

**Q:** What if we do not have the money or resources to do this?

**A:** The Act obliges schools to make only 'reasonable' adjustments. Cost and resources are factors that are taken into account in determining what is 'reasonable'. It is important to document carefully any decisions taken on reasonable adjustments, so that they can be justified to parents and/or a tribunal.

**Q:** What sort of things might we have to do?

**A:** Schools may have to provide a disabled pupil with:

A piece of equipment

Assistance from a sign language interpreter, lip-speaker or deaf-blind communicator

Extra staff assistance

*Continued...*

An electronic or manual notetaking service  
Induction loop or infrared broadcast system  
Videophones  
Audiovisual fire alarms  
Readers for people with visual impairments  
Assistance with guiding  
An adapted keyboard  
Specialised computer software

**Q:** If a school provides a disabled pupil with a piece of equipment, whose responsibility is it to ensure that the equipment is looked after and is repaired when necessary?

**A:** The reasonable adjustments duty includes making sure that the reasonable adjustment provided actually works, so the school would be responsible for the maintenance and repair of the piece of equipment. However, schools may want to work with other schools in their local area or with the local authority to share resources both in terms of equipment, and the maintenance and repair of equipment.

**Q:** Are individual schools expected to meet the cost of auxiliary aids and services if they already pay into a central local authority budget to meet such costs?

**A:** Centrally organised and funded aids and services are often the most effective and efficient way of meeting the needs of disabled children. In some situations, individual schools pay an amount into a local authority 'pot' set up to meet the cost of access needs and are able to draw on that pot for such needs; or a local authority may provide auxiliary aids and services out of funds that it would otherwise pass on to schools for such aids and services. It is unlikely, in these circumstances, to be reasonable for an individual school to pay any more in providing additional aids and services.

**Q:** A pupil needs a hearing aid when at school, but also when not at school. Should the school be providing the hearing aid for the child to use all of the time?

**A:** The school's duty is to avoid the substantial disadvantage experienced by the disabled pupil while he or she is accessing the education and other benefits, facilities and services that the school provides to pupils. A school is not required to provide anything that the pupil requires outside of education - but there may be circumstances in which the school allows the pupil to use a piece of equipment provided by it in other circumstances. For example, where a school

has provided a pupil with an MP3 player in order to record lesson notes, it may then allow the pupil to use that MP3 player when attending a holiday club.

**Q:** Can a school charge disabled pupils or their parents for the additional cost of providing auxiliary aids?

**A:** No. The Act prohibits schools from passing on the cost of reasonable adjustments to the disabled pupil or his or her parents.

**Q:** It can be difficult to include disabled pupils on residential school trips. Would it be better to cancel such trips to ensure that disabled pupils are not discriminated against?

**A:** The Act does not require a school to cancel school trips or any other activities arranged for pupils, but it does require a school to look at ways in which to ensure that disabled pupils are given the same opportunities to participate as other pupils. This might include considering alternative trips to those previously arranged by the school, providing additional assistance to enable the disabled pupil to attend or allowing the disabled pupil to attend for only some of the trip. By working with disabled pupils and their parents, who will have experience of taking their children on trips and outings, and learning from the experiences of other schools, schools are likely to be able to come up with solutions that mean that everyone is able to benefit from the trip or activity.

### **Other issues**

**Q:** If a school does not know that a pupil is disabled, is it still required to make reasonable adjustments?

**A:** In the majority of cases, schools will be aware of a child's disability for a number of reasons, such as the arrangements for the assessment of and the provision of special educational needs through the SEN framework. In many cases, parents will volunteer information about their child's disability. It may not be immediately obvious that a child is disabled. Underachievement and unexplained behaviour may, in some cases, indicate an underlying disability that has not yet been identified.

The duty to make reasonable adjustments is an anticipatory duty. This means that it requires consideration of, and action in relation to, barriers that impede people with one or more kinds of disability prior to an individual disabled pupil seeking to access the school. Schools should therefore not wait until a disabled person approaches them before they give consideration to their duty to make

reasonable adjustments, and should anticipate the requirements of disabled pupils and the adjustments that may have to be made for them.

**Q:** If a pupil asks a school to keep his or her disability confidential, does this mean that a school does not have to make any adjustments?

**A:** Disabled pupils and their parents have a right to request that a pupil's disability be treated as confidential. In this case, what is reasonable for the school to do must be consistent with the request for confidentiality. The school still has a duty to make reasonable adjustments, but might make different adjustments from those that it would have made if there had not been a confidentiality request.

**Q:** Does the duty apply to independent schools?

**A:** The duty applies to all schools in England irrespective of how they are funded or managed.

## Case studies

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**Example** — A child with a recent diagnosis of dyslexia and Asperger's syndrome attends an independent school, and has been refused a statutory assessment by his local authority. His parents believe that he needs some one-to-one support and specialist teaching, because he is falling behind his peers.

**Q:** Is he at a substantial disadvantage?

**A:** Because he is falling behind with his schoolwork, this may be an indication that the pupil is at a substantial disadvantage. If the school doubts that he is at a substantial disadvantage, then it could carry out or arrange an assessment to obtain more information about any disadvantage that he is experiencing (and about the steps that could be taken to avoid any substantial disadvantage).

**Q:** Could the disadvantage be avoided?

**A:** If the assessment shows that the pupil is at a substantial disadvantage compared to non-disabled pupils, some one-to-one support and specialist teaching could help the school to avoid the disadvantage. If it suggests that he is not at a substantial disadvantage, then the school is not required to make any reasonable adjustments.

**Q:** Is it reasonable for the school to take these steps?

**A:** This will depend on the resources available to the school and the other factors listed above. If the school feels that this is support that should be provided by the local authority through an EHC plan, then the school could advise the parents of this and of how to request a statutory assessment. The school can also request that the local authority carries out a statutory assessment.

**Example** — A disabled pupil requires assistance with personal care needs, such as toileting, washing and dressing. This assistance is provided during the school day by a learning support assistant provided through his EHC plan. The school arranges a residential school trip for his year group. The pupil wishes to attend, but is not able to do so unless his personal care needs are met.

**Q:** Is he at a substantial disadvantage?

**A:** Yes: he is unable to attend the trip with his peers. This means that he is missing out on an additional valuable learning experience available to non-disabled pupils in his class.

**Q:** Could the disadvantage be avoided?

**A:** The following options could avoid the disadvantage and enable the pupil to attend:

asking his learning support assistant to go on the trip and provide support beyond the normal school day;

liaising with social services to see if any support can be provided by them; and  
discussing with the pupil and his parents ways in which they think the support could be provided, such as a family member going on the trip to provide the overnight support.

**Q:** Is it reasonable for the school to take these steps?

**A:** These steps are all potentially reasonable depending on the circumstances. If it is not possible for the school to find a reasonable means of enabling the pupil to attend, then it should consider whether there is an alternative equivalent trip that could be organised for that year group in which the disabled pupil would be able to participate.

**Example** — A pupil with physical difficulties starts at a primary school partway through the school year, having recently moved to the UK from

abroad. His parents request that the local authority carry out a statutory assessment, because they think that he will need an EHC plan. It is likely that any additional support that he needs will be provided through an EHC plan, but in the meantime, until the statutory assessment process is completed and an EHC plan issued, the pupil is struggling to access education, because he is unable to move around the school without assistance and needs help with writing, and with lifting and moving books and other learning materials.

**Q:** Is he at a substantial disadvantage?

**A:** Yes. He is unable to access education in the same way as his peers.

**Q:** Could the disadvantage be avoided by the provision of an auxiliary aid or service?

**A:** Yes – by means of individual and specialist support.

**Q:** Is it reasonable for the school to take this step?

**A:** Although support would ultimately be provided through his EHC plan, it is likely to be reasonable for the school to put in place at least some support to enable the pupil to access education in the meantime.

**Example** — A child with Asperger’s syndrome attends a school and is provided with transport in the form of a school bus that stops near to her home and then goes to the school. She wants to attend an afterschool activity and, although there is a bus that she could catch home, she would need to change buses and is not familiar with the route.

**Q:** Is she at a substantial disadvantage?

**A:** Yes. She cannot attend the afterschool activity.

**Q:** Could the disadvantage be avoided by the provision of an auxiliary aid or service?

**A:** Yes – by providing individual transport. Alternatively, the school could support the pupil to develop her independent travelling skills, which might include someone escorting her on the bus the first few times or practising the route with her.

**Q:** Is it reasonable for the school to take this step?

**A:** There are specific arrangements in place for transporting disabled learners to and from school, but this is not part of the Equality Act 2010. The reasonable adjustments duty on after-school activity providers, where they are operating independently from the school, does not include transport to and from the premises. The law regarding provision of transport for education purposes falls on the local authority to provide transport to and from school during the compulsory part of the school day, which ensures that disabled children are able to attend school.

There may be some flexibility where the after school provision is provided for, or commissioned by, the school, hence is a benefit, facility or service provided by the school, and this could include the support described above. Also, in circumstances where transport is being provided for non-disabled learners for after-school activities, such transport must be fully accessible for disabled learners as well. The transport provider may well charge for this transport, but is not allowed to charge more for disabled learners.

# Contacts

This publication and related equality and human rights resources are available from the Commission's website: [www.equalityhumanrights.com](http://www.equalityhumanrights.com)

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