

# **The Maynard School, Exeter**

September 2023

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

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### **Independent Day School for Girls**

***This policy should be read in conjunction with the following policies:***

- equality, diversity and anti-racism policy;
- disability policy;
- child protection and safeguarding policy and procedures;
- risk assessment policy for pupil welfare;
- anti-bullying policy;
- English as an Additional Language policy;
- admissions policy;
- emotional health & wellbeing policy;
- public examinations policy;
- access arrangements policy;
- word processing policy;
- external exams equality policy

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References in this policy to AA and ICE relate to / are directly taken from the Access Arrangements and Reasonable Adjustments 2023-24 (<https://www.jcq.org.uk/exams-office/access-arrangements-and-special-consideration/regulations-and-guidance/>) and 'ICE- Instructions for conducting examinations 2023-2024 (<https://www.jcq.org.uk/exams-office/ice---instructions-for-conducting-examinations/publications>)

## 1 Aims

This is the policy on special educational needs and learning difficulties of The Maynard School (**School**).

The aims of this policy are as follows:

- 1.1.1 to promote good practice in the detection and management of special educational needs (**SEN**);
- 1.1.2 to explain the support the School can provide for children who have learning difficulties and the co-operation needed from parents;
- 1.1.3 to actively promote the well-being of pupils.

## 2 Scope and application

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

## 3 Regulatory framework

- 3.1 This policy has been prepared to meet the School's responsibilities under:

Education (Independent School Standards) Regulations 2014;

*Statutory framework for the Early Years Foundation Stage* (DfE, March 2017);

Education and Skills Act 2008;

Children Act 1989;

Childcare Act 2006;

Equality Act 2010; and

Children and Families Act 2014.

- 3.2 This policy has regard to the following guidance and advice:

Special educational needs and disability code of practice: 0 to 25 years (DfE and Department for Health, January 2015) (**Code of Practice**)

- 3.3 The following School policies, procedures and resource materials are relevant to this policy:

Equality, diversity and anti-racism policy;

Disability policy;

Child protection and safeguarding policy and procedures;

Risk assessment policy for pupil welfare

Anti-bullying policy;

English as an Additional Language policy;  
Admissions policy;  
Emotional health & wellbeing policy  
Public examinations policy;  
Access arrangements policy;  
Word processing policy;  
External exams equality policy;  
Behaviour policy  
Relationship and Sex Education policy  
Exclusion, Removal and Review policy

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

- 4.1 This policy is available in hard copy on request.
- 4.2 A copy of the policy is available for inspection from the Head's PA during the School day.
- 4.3 This policy can be made available in large print or other accessible format if required.

#### 5 **Definitions**

- 5.1 Where the following words or phrases are used in this policy:

References to the **Proprietor** are references to the Board of Governors.

References to **working days** mean Monday to Friday, when the School is open during term time. The dates of terms are published on the School's website.

References to an **Individual Education Plan (IEP)** are references to a plan or programme designed for children with SEN to help them to get the most out of their education. An **IEP** builds on the curriculum that a child with learning difficulties or disabilities is following and sets out the strategies being used to meet that child's specific needs and targets for the child to take ownership of their learning and support.

- 5.2 **"Special educational needs" and "learning difficulty"**

Children have special educational needs if they have a learning difficulty which calls for special educational provision to be made for them.

- 5.2.1 Children have a learning difficulty if they:

- (a) have a significantly greater difficulty in learning than the majority of others of the same age; or
- (b) have a disability which prevents or hinders the child from making use of educational facilities of a kind generally provided for children of the same age in mainstream schools or mainstream post 16 institutions (please also see the School's disability policy);
- (c) are under five and fall within the definition (a) or (b) above or are likely to do so when of compulsory school age if special educational provision is not made for the child.

5.2.2 A child must not be regarded as having a learning difficulty solely because the language or form of language in which he or she is or will be taught is different from a language or form of language which is or has been spoken at home. However, children for whom English is an Additional Language will be provided with appropriate support. Please see the School's English as an Additional Language policy.

5.2.3 A child who finds a particular subject difficult does not necessarily have a "learning difficulty" in the legal sense of that expression: there will often be disparities in the speed with which children learn, in their skill at solving problems and in their general acumen.

5.2.4 The expression "learning difficulty" covers a wide variety of conditions and may include those known as dyslexia, dyscalculia, dyspraxia, attention deficit (hyperactivity) disorder, semantic processing difficulty and learning problems which result from social, emotional or mental health difficulties. The expression may also include those who have problems with their eyesight or hearing or who have an autistic spectrum disorder amongst others.

5.2.5 Learning difficulties may affect children who have a high IQ and academic ability as well as those of lower IQ and ability. Sometimes a child's learning difficulty becomes apparent for the first time at the age of 11+ or older, when the educational pressures tend to increase.

## **6 The School's SENCO has responsibility for:**

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

## **7 Procedures**

- 7.1 The School is a mainstream independent school with high academic standards. Even so, we carry out screening tests on each pupil from

Year 3 onwards in order to detect signs of learning difficulties, where apparent from the test results.

- 7.2 The School's approach to the detection and management of learning difficulties will be guided by the Code of Practice. In general, the School's approach will be cautious so as not unnecessarily to run the risk of a child being labelled "dyslexic" when a later assessment might result in a different explanation for the difficulty.

### 7.3 Screening test

- 7.3.1 During a pupil's first year and at each key stage thereafter, the School will carry out a screening test, the results of which will be reported to the pupil's parents if there is an area of concern.
- 7.3.2 The tests used are not diagnostic tests of a kind which an educational psychologist would carry out, and they are not infallible. The purpose of the tests is to detect circumstances which may need further investigation or a formal assessment. The cost of screening tests is included in the tuition fees.
- 7.3.3 A student who is flagged, is put on the SENCo's "watching brief" and teachers are informed, via the iSams SEN register. A period of observation—usually a term—follows, at the end of which the SENCo may carry out further testing of a more diagnostic nature.
- 7.3.4 If the outcome of a test or any other circumstances give us reason to think that a pupil may have a learning difficulty, we will report and consult with the pupil's parents as necessary and make recommendations.

### 7.4 Formal assessment

- 7.4.1 If the test results indicate that a pupil may have a learning difficulty which ought to be assessed without delay, we will ask the pupil's parents to agree to the pupil being formally assessed by an educational psychologist, speech and language specialist or the appropriate professional. The School will ask the parents to agree to follow recommendations unless there are persuasive reasons to the contrary.
- 7.4.2 The parents may consult an educational psychologist suggested by the School, or one of their own choice. The cost in either case must be borne by the parents. Contact must be established by the educational psychologist with the School before an assessment is made, in order to build up a holistic picture of need and a joined-up approach.
- 1.a.1 JCQ regulations (Section 7) state that "an independent assessor **must** contact the centre and ask for evidence of the candidate's normal way of working and relevant background information. This **must** take place **before** the candidate is assessed. "The external assessor must have "received at least a 'skeleton' Form 8 before assessing the candidate, establishing a working relationship with the centre" (Section 7.3.5) and it is the responsibility of the assessor to contact the school to get this before assessment takes place.

### 7.4.3

At KS4 and KS5, where assessment scores may be used as evidence for access arrangements, this means that an external assessor must request background information on a Form 8 before completing an assessment.

Where an educational psychologist report is carried out without input from the School, we can use the information to build a picture of need but the school will need to carry out additional testing to confirm the areas of need required to complete a Form 8 application for access arrangements.

#### **7.5 Learning support**

If the screening test results indicate that a pupil may have a learning difficulty but the circumstances are not such as to indicate an immediate formal assessment or a course of additional specialist teaching is required, the School may suggest that the pupil attends a small learning support group with the SENCo (or learning support mentor) which will concentrate on developing study skills, phonics, spelling, maths, handwriting and reading.

- 7.5.1 Learning support of this kind will be provided at no additional cost and is part of the reasonable adjustments that we make to support a pupil's learning.
- 7.5.2 The pupil's progress and needs will be monitored and, if necessary, the School will recommend a formal assessment if the learning support does not appear to be meeting the pupil's needs.

#### **7.6 Additional specialist teaching**

As an alternative to a formal assessment, and if justified by the screening test results, the School may suggest a course of additional specialist teaching by a qualified specialist on a one-to-one or small group basis in school. This would normally total one 30-60 minutes per week during term time. This provision must be paid for separately by parents on a private basis, at a rate of £33 per lesson.

#### **7.7 External teaching**

- 7.7.1 Parents may opt for additional specialist teaching outside the School, provided that the Head is satisfied with the child's safety and travel arrangements and also that the additional specialist teaching is at times which fit in with the remainder of the curriculum, timetable and community life of the School.

#### **7.8 Examinations**

- 7.8.1 Pupils who have been diagnosed as having a learning difficulty may be eligible for extra time and / or other access arrangements to complete internal examinations and public examinations.
- 7.8.2 Parents are asked to liaise with their child's Head of Year and the SENCo in good time with respect to this.

#### **7.9 Information sharing and parent involvement**

- 7.9.1 Parents are asked to provide the School with a copy of any report or recommendations which have been made in relation to special educational needs at their child's previous school or elsewhere within the last 12 months. Confidential information of this kind will only be shared within the School on a "need to know" basis.

- 7.9.2 The School will do all that is reasonable to report and consult with parents about their child's learning difficulties and to ensure that teachers are given any necessary information about a child's learning difficulties and that teaching practices are appropriate.
- 7.9.3 Parents should notify the School immediately if their child's progress or behaviour causes concern so that the School can devise and agree a strategy with the parents.
- 7.9.4 Parents bear the overall responsibility for taking decisions about the management of their child's learning difficulties. A parent who would prefer to have a formal assessment instead of additional specialist teaching or learning support should make arrangements accordingly with the School or outside, as appropriate (see 7.4.2 above) In these circumstances, parents must ensure that the School is given copies of all advice and reports received.

#### 7.10 Individual Education Plan

- 7.10.1 The SENCO will ensure that an appropriate IEP is in place where required.
- 7.10.2 The IEP will be prepared in consultation with the parents and, if appropriate, the pupil and will include the adjustments, interventions and support required to meet the outcomes identified for the pupil
- 7.10.3 The SENCO will consider on an annual basis:
- (a) the effectiveness of the support and interventions and their impact on the pupil's progress;
  - (b) the views of relevant teaching staff, the parents and, if appropriate, the pupil; and
  - (c) any changes that are required to the support and outcomes set out for the pupil.

## 8 Education health and care plans (EHC plan)

- 8.1 Where a prospective pupil has an EHC plan, the School will consult the parents and, where appropriate, the local authority to ensure that the provision specified in the EHC plan can be delivered by the School. The School will consider reasonable adjustments where appropriate during entry procedures.

Any additional services that are needed to meet the requirements of the EHC plan will need to be charged to the local authority if the authority is responsible for the fees and our school is named in Section I of the EHC plan. In all other circumstances, charges will be made directly to parents unless the additional services can be considered to be a "reasonable adjustment" for which no charge will be made, in accordance with the provisions of the Equality Act 2010.

JCQ guidelines (Section 1.2) state that, "where a centre is under a duty to make a reasonable adjustment, it **must not** charge a disabled candidate any additional fee in relation to the adjustment or aid."



## 9 Additional welfare needs

- 9.1 The School recognises that pupils with special educational needs or learning difficulties may be at risk of being bullied. The School's anti-bullying policy makes it clear that bullying behaviour of any kind is not acceptable and will be taken very seriously.
- 9.2 If parents are concerned about their child's welfare, they can approach the pupil's form teacher or any senior member of staff to discuss their concerns in private at any time.
- 9.3 Additional barriers can exist when detecting the abuse or neglect of pupils with a special educational need or disability creating additional safeguarding challenges for those involved in safeguarding and promoting the welfare of this group of children. The School is mindful in particular that:
  - 9.3.1 assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the pupil's special educational need or disability without further exploration;
  - 9.3.2 pupils with a special education need or disability can be disproportionately impacted by bullying without outwardly showing any signs; and
  - 9.3.3 there may be communication barriers which are difficult to overcome to identify whether action under this policy is required.
- 9.4 Any safeguarding concerns will be dealt with in accordance with the procedures set out in the School's child protection and safeguarding policy and procedures.
- 9.5 **Disability**
  - 9.5.1 The School recognises that some pupils with special education needs or learning difficulties may also have a disability. Pupils and parents are referred to the School's disability policy.
  - 9.5.2 The School will make all reasonable adjustments in order to afford opportunity to disabled pupils. However, if, despite such adjustments, the School is unable to provide adequately for the pupil's needs, the School may decline to offer a place to a pupil or request that parents withdraw their child from the School (see 10 below).

## 10 Alternative arrangements

- 10.1 The School reserves the right, following consultation with parents, to ask or require them to withdraw their child from the School if, in our opinion **after making all reasonable adjustments and exhausting appropriate strategies:**
  - 10.1.1 The child is in need of a formal assessment, additional specialist teaching, learning support or medication to which you do not consent; and / or

10.1.2 the child's learning difficulties require a level of support or medication which, in the professional judgment of the Head, the School is unable to provide, manage or arrange;

10.1.3 your child has special educational needs that make it unlikely she will be able to benefit sufficiently from the mainstream selective education and facilities which the school provide.

10.2 In any of these circumstances the school will do what is reasonable to help parents to find an alternative placement which will provide their child with the necessary level of teaching and support.

10.3 Withdrawal of a pupil in these circumstances will not incur a charge to fees in lieu of notice. The deposit paid in respect of the child will be credited to the parents' account.

## 11 Record keeping

11.1 All records created in accordance with this policy are managed in accordance with the School's policies that apply to the retention and destruction of records.

## 12 Version control

Approved by:	Governors	August 2020
Updated by	SD/CL/LS	September 2023
Date for next Review:	SLT	September 2024

Authorised Governor	by	
Signed		
Dated		

## **Appendix 1 Report to parents: possible learning difficulty indicated**

Dear Parents

### **[Year .....] screening for learning difficulties**

This is to let you know that during the routine screening tests which are carried out recently for all pupils in this year group, [• name of pupil]'s results indicated the possibility that [• he / she] may have a learning difficulty in the area of [• please describe].

The tests which we use are not diagnostic tests of a kind which an educational psychologist would carry out. Their purpose is to detect circumstances which may need further investigation or a formal assessment and they are not infallible. It may turn out that your child has no problem after all.

I enclose a copy of the School's policy on special educational needs and learning difficulties which I should be grateful if you would read carefully and keep with your records.

[• My recommendation at this stage is that we try [• learning support / additional specialist teaching] for the remainder of this year and then assess [• name of pupil]'s needs again at that stage.]

### **OR**

[• Because the test results were considerably below the levels normally to be expected of children of this age, my recommendation is that [• name of pupil] should be formally assessed by an educational psychologist.]

I enclose some further details of the provision we can make for children who have certain kinds of learning difficulty. If [• name of pupil] turns out to have a learning difficulty which is formally diagnosed, we will need to co-operate closely so as to ensure that support is given at the right level.

Please contact me if you would like to discuss the various choices in more detail. Otherwise, would you please write to me as soon as you can with your decision.

Yours sincerely,

Mrs Lucy Smart

SENCo