

Policy on Special Educational Needs and Disabilities

Uppingham School

September 2022

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1. Aims

- 1.1. This is the policy on special educational needs and disabilities of Uppingham School (School).

Uppingham School is a mainstream independent school which accepts pupils from the ages of thirteen to eighteen. We aim for our pupils to become resilient and independent young people. However, we recognise that some children may require provision that is different or extends beyond that ordinarily available to pupils. Whilst being a mainstream school, we can (insofar as is possible) offer specialist elements to our educational day.

We aim to meet our legal and moral responsibilities for all children, with SEND, in an effective and compassionate way. Uppingham School is, however, an academically-selective school. It is the general expectation that pupils will be able to engage with the full extent of the curriculum, in line with their peers and typical age-related expectations (with appropriate reasonable adjustments). We endeavour to help pupils attain these standards in a balanced and compassionate way.

- 1.2. The aims of this policy are as follows:

- 1.2.1. to promote good practice in the management of special educational needs and disabilities (SEND);
- 1.2.2. to explain the support the School can provide for pupils who have additional needs and the co-operation expected from parents;
- 1.2.3. to actively promote the well-being of pupils.
- 1.2.4. to create a culture of safety, equality and protection.

2. Scope and application

- 2.1. This policy applies to the whole School.

3. Regulatory framework

- 3.1. This policy has been prepared to meet the School's responsibilities under:
- 3.1.1. Education (Independent School Standards) Regulations 2014;
 - 3.1.2. Boarding schools: national minimum standards (Department for Education (DfE), April 2015);
 - 3.1.3. Education and Skills Act 2008;
 - 3.1.4. Children Act 1989;
 - 3.1.5. Childcare Act 2006;
 - 3.1.6. Data Protection Act 2018 and General Data Protection Regulation (GDPR);
 - 3.1.7. Equality Act 2010; and
 - 3.1.8. Children and Families Act 2014.

- 3.2. This policy has regard to the following guidance and advice:
- 3.2.1. Special educational needs and disability code of practice: 0 to25 years (DfE and Department for Health, January 2015) (Code of Practice)
- 3.3. This policy should be read in conjunction with other School policies, procedures and resource materials, for example the safeguarding (child protection) policy.

4. Publication and availability

- 4.1. This policy is available on request from the School
- 4.2. This policy can be made available in large print if required.

5. Definitions

- 5.1. Where the following words or phrases are used in this policy:
- 5.1.1. References to the Proprietor are references to the Trustees.
- 5.1.2. References to working days mean Monday to Saturday, when the School is open during term time. The dates of terms are published on the School's website.
- 5.1.3. References to 'Provision' (and associated processes) are the activities undertaken by the School as an efficient way of showing all the provision that the School makes which is additional to and/or different from that which is offered through the School's broader curriculum. The use of provision mapping processes can help the Learning Support Department to maintain an overview of the programmes and interventions used with different groups of pupils and provide a basis for monitoring the levels of intervention, their impact and efficacy. Provision is tailored to the needs of a pupil, and is not therefore generic.
- 5.2. "Special educational needs" and "learning difficulty"
- 5.2.1. Pupils have SEND if they have a learning or developmental difficulty which calls for special educational provision to be made for them.
- 5.2.2. Pupils 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.
- 5.2.3. A pupil 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 Curriculum Policy.
- 5.2.4. A pupil 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, their skill at solving problems and in aptitude generally.

- 5.2.5. The expression "learning difficulty" covers a wide variety of developmental or inherited conditions and may include those known as dyslexia, dyscalculia, dyspraxia, attention deficit (hyperactivity) disorder, 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. The School recognises that there is not always a consensus about what constitutes SEND or a learning difficulty or what interventions are best, particularly as our understanding of difficulties and the associated terminology is constantly evolving. We use 'best evidence' and 'current best practice' as guiding principles.
- 5.2.6. Learning difficulties may affect pupils who have a high cognitive and academic ability as well as those of lower cognitive and academic ability.

6. Responsibility statement and allocation of tasks

- 6.1. The Proprietor has overall responsibility for all matters which are the subject of this policy.
- 6.2. The day-to-day management of the Learning Support department is the responsibility of the Head of Learning Support/SENCO, who reports to the Deputy Head Academic and through him to the Headmaster.
- 6.3. The Head of Learning Support is responsible for keeping the policy up to date; monitoring its implementation and evaluating effectiveness; maintaining up to date records as required by the GDPR.
- 6.4. The School's Learning Support Department has responsibility for:
- 6.4.1. ensuring liaison with parents and other professionals in respect of a child's special educational needs;
 - 6.4.2. advising and supporting other staff in the School;
 - 6.4.3. ensuring that appropriate documentation is in place and effectively implemented;
 - 6.4.4. ensuring that relevant background information about individual children with special education needs is collected, recorded and updated;
 - 6.4.5. undertaking any other appropriate duties in accordance with the Code of Practice.

7. Procedures

- 7.1. The School's approach to the management of learning difficulties will be guided by the Code of Practice and its principles. The school does not fully replicate all elements of the code of practice into our working protocols, instead choosing to adopt a meaningful interpretation based upon our specific context and cohort of learners.
- 7.2. As part of the Assess-Plan-Do-Review Model and to ensure collaborative working, the School works closely with parents of pupils who have, or may have, special educational needs and learning difficulties to assess and review a pupil's needs and support. Parents are kept informed concerning the assessment, planning, provision and review of their child's education.
- 7.3. Identification of pupils with a learning difficulty
- 7.3.1. We recognise that identification of SEND can be a complicated process. We

respect the fact that characteristics vary amongst the population; that not all difficulties present in the same way and that individual learners' challenges also vary over time and context.

- 7.3.2. We recognise that some of our pupils may have cultural backgrounds wherein assessment practices do not fully align with our own. Accordingly, we reserve the right to review the method by which any judgment about a learner's needs has been made, and consider its implications within our particular context.
- 7.3.3. The fluidity and nuances surrounding definitions of SEND can compound the issue of meaningful identification and intervention. For these reasons, we do not engage in whole-year screening of pupils, regarding this as potentially about their learning counter-productive to our stance of authentic collaboration with individuals journey (and any challenges).
- 7.3.4 We recognise that some of our pupils will receive a medical diagnosis of ADHD. We can only contribute to the discourse, surrounding this diagnosis, by providing commentary from observations of a pupil in the classroom or boarding House. We are not involved in the decision to give a diagnosis and/or medical treatment. We will recommend that parents and/or pupils consult with our healthcare team at Woodfield, in the first instance. With regard to exam arrangements, we reserve the right to scrutinise medical information, in the same way that we do all other incoming information and operate a graduated response.
- 7.3.5 In adopting a 'holistic' approach to SEND, we recognise that it is challenging to identify pupils who may be experiencing difficulties. The sole use of rigid criteria to make a judgment of SEND is counter to both our ethos as a school, but also to best practice with regards assessment processes. Indeed, some pupils may not seek any undue attention; others have developed adaptive or coping strategies. The School cannot, therefore, be liable for failing to identify any hidden learning difficulties, at any stage of a pupil's career. The School endeavours to adopt a reflective and robust approach to managing pupils' needs, based upon up-to-date evidence
- 7.3.6 We regard it as crucial that the 'child's voice' is promoted at every stage of their school career (as stressed in the code of practice). Accordingly, we recognise a pupil's autonomy to refuse - entirely or partially - the offer of enhanced provision made to them. When this is the case, we will encourage meaningful participation from the pupil, and other key stakeholders, to ensure that this decision is made with full awareness of any consequences.
- 7.3.7 The LS Dept maintains an 'active list' of pupils with SEND. The LS Dept also maintains a list of all pupils, who have previously been diagnosed with, or experienced SEND'.

7.4. **Learning support**

- 7.4.1. As part of a graduated approach, the School will initiate a consultation process with relevant staff, parents and the pupil to gain a comprehensive picture of a pupil's difficulties. This consultation process may involve observation of the pupil in their classroom environment by a member of the Learning Support department and/or the School-appointed educational psychologist. This triangulated approach involving the whole 'team around the child' will endeavour to remove any discernible barriers to learning that may be inhibiting progress.
- 7.4.2. We recognise parity across professional groups, so that any formulation about a pupil's strengths and needs is co-constructed; no single

professional within our institution is viewed as having a more worthy contribution by virtue of their status.

- 7.4.3. For some pupils, the School may suggest adjustments to the standard curriculum. This is a significant adaptation, and will be planned and discussed accordingly.
- 7.4.4. The School may offer additional support. This could include any of the following: a conversation with Learning Support and/or Educational Psychologist or other academic professional, eg Housemaster/Housemistress, Tutor. It can include support options, such as attendance at subject-specific clinics, a time-limited period of 1:1 or group academic learning support. We recognise that not all pupils can or wish to attend academic learning support. Where this is the case, we continue to liaise with subject-teachers and Housemaster/Housemistress to ensure that reasonable adjustments are made within the classroom.

Academic support may not be appropriate for a pupil with SEMH difficulties. Where this is the case, we are able to offer an SEMH intervention with our Educational Psychologist, eg a time-limited mentoring package, exam anxiety or CBT intervention. Where necessary, or where the problem becomes more significant ie one that affects a pupil's health, we reserve the right to refer individuals to our Health Centre. We reserve the right to charge for this additionality to our universal provision.

The exact nature of this intervention is decided 'up front' - its frequency, desired outcome, structure and exit-point being adaptable and clearly communicated, in advance of the work proceeding.

- 7.4.5 We recognise that withdrawal intervention does not always have the desired impact at the time of its delivery. With that in mind, we make reasonable attempts to capture the process undertaken and outcomes achieved, but acknowledge the inherent flaws in doing so. Accordingly, 'impact measurement' may take the form of subjective or objective measures, as appropriate to the intervention delivered.
- 7.4.6 Learning support of this kind will be arranged subject to prior agreement being reached with the parent concerning the charging arrangement for this.
- 7.4.7 We stress that meaningful participation of parents/guardians is a key element of positive outcomes for learning support. Accordingly, we will remain in close liaison - at appropriate junctures, agreed up front. We expect parents/guardians to inform us of any concerns about the delivery of learning support provision, at the earliest opportunity.
- 7.4.8 The pupil's progress and needs will be monitored and, if necessary, the School will recommend a more structured assessment process if the pupil continues to experience difficulties. or where it is required for the purposes of applying for exam access arrangements (see 7.6).

7.5. **Our stance on 'assessment'**

- 7.5.1. We recognise that standardised or psychometric testing is a complicated area and, by itself, does not always capture all of a pupil's strengths and weaknesses. However, we also appreciate that it can be a tool to explore 'attainment' (literacy and numeracy) or 'ability' measures (processing, memory, etc). Should an assessment be advisable, we will ask the pupil's

parents to agree to the pupil being formally assessed by an appropriate professional. The individual assessor, or practitioner, is responsible for selecting, and administering, the most appropriate and current test, according to the purpose. We acknowledge that testing can be a stressful process for any pupil and always manage this in a sensitive and compassionate manner. We view it within the wider concept of a 'holistic' assessment, focused on the pupil's individual needs, progress and outcomes.

- 7.5.2. Assessments of this nature should only be conducted by the School-appointed educational psychologist/specialist assessor. We are bound by JCQ guidelines and "cannot accept a privately-commissioned report for the purpose of awarding exam access arrangements". Assessments conducted by professionals who are not working with the School may not be accepted as evidence to support the provision of access arrangements in public exams. The cost of any assessment is borne by the parents.
- 7.5.3. The school has existing relationships with professionals who provide the services as outlined in 7.5.1. The school has undertaken its due diligence in ensuring that the professionals have the appropriate certification to deliver the above activities. These professionals are often accountable to an external regulatory body whose details can be requested.
- 7.5.4. The School will endeavour to follow suitable recommendations from that assessment. The School does not charge a fee for making reasonable adjustments to disabled candidates.

7.6. **Examinations**

- 7.6.1. Pupils who have been recognised as having a learning difficulty may be eligible for access arrangements, for example supervised rest breaks or a separate venue, to complete public examinations. Exam boards have a duty to make reasonable adjustments where assessment arrangements would put a disabled candidate, or one with persistent and significant learning difficulties, at a substantial disadvantage in comparison with a candidate who is not disabled or who does not have such difficulties.
- 7.6.2. In order to comply with the JCQ regulations, and those of other examination bodies, the SENCo must have considered, and thoroughly exhausted rest breaks before considering an application for extra time.
- 7.6.3. The spirit of the regulations is to ensure that pupils receive an accommodation that is aligned with their difficulty. Much like our broader school philosophy (a 'graduated approach'), our process for access arrangements is one of ensuring that it is based upon 'need', maintaining that pupils have the autonomy to decide to - or indeed decline to - receive an arrangement to which they may be entitled.
- 7.6.4. Access arrangements are applied for by the School at the discretion of the SENCO, in collaboration with appropriate external professionals, and must be approved by the exam boards. They must reflect a pupil's normal way of working, ie if a pupil does not typically use an access arrangement, as part of their normal way of working, within School, including internal School exams it should not be awarded for public exams. The SENCO needs to be able to demonstrate a history of need when applying for an access arrangement and, holds on file, relevant supporting documentation. A Data Protection Notice (DPN) is signed by the pupil, giving their consent for information-sharing, for the purposes of applying to the JCQ, and other relevant exam bodies.
- 7.6.5. "SENCOs must consider the need for access arrangements/reasonable

adjustments on a subject-by-subject basis” and “support may be needed in just one or two subjects; another candidate may need support in all their subjects.”

Access arrangements are monitored and reviewed, on an ongoing basis, in line with the JCQ regulations and the wishes of the pupil. We also recognise that pupils have a 'voice' in their own educational journey and may no longer wish to have access arrangements. This is an individual choice. In such cases, where there is a difference of opinion between the pupil and parent/primary care-giver/guardian, we liaise sensitively, and with compassion, to ensure that a professional consensus is reached, in which the pupil's needs and voice are paramount.

- 7.6.6. The School appreciates that pupils make progress over time and that they may no longer need an exam access arrangement. The School consults with pupils, parents, teaching staff, and any other relevant practitioners involved in the education/welfare of the pupil in order to reach agreement over the decision to apply for exam access arrangements.
- 7.6.7. The School pays due regard to the guiding principles of the JCQ regulations, and those of other exam regulators, in that School cannot be held responsible if an adjustment is not approved, if it involves unreasonable timeframes. Each case will turn on its own facts as to what is possible.

7.7. Information sharing and parent involvement

- 7.7.1. New parents are asked to provide copies of any report or recommendations which have been made in relation to SEND at their child's previous school or elsewhere. Confidential information of this kind will only be shared within the School on a "need to know" basis, however we stress that seamless information sharing is optimal insofar as is possible.
- 7.7.2. The School will do all that is reasonable to report and consult with parents about their child's difficulties and to ensure that teachers are given any necessary information about a child's difficulties and that teaching practices are appropriate, aligned with best evidence. Teachers are also responsible for maintaining their own standards within a classroom, however systems are in place to ensure further confidence in our providing quality pedagogy.
- 7.7.3. Parents bear the overall responsibility for taking decisions about the management of their child's learning difficulties. Parents should notify the School if their child's progress or behaviour causes concern so that the School can devise and agree a strategy with the parents.

7.8. Monitoring protocols

- 7.8.1. For those children who are experiencing the highest degree of need or difficulty, a written plan may enable all those involved in the care for that pupil, to manage their provision most effectively. A plan may be helpful where multi-agency work is involved. On the other hand, we recognise that any paperwork must both 'add value' to a pupil's experience, and be a 'working document' and accordingly subject to change and adjustment. We maintain files for pupils, and paperwork is generated when there is specific benefit in doing so.
- 7.8.2. The school maintains an electronic register of pupils who experience additional needs across any domain. This file indicates the nature of their difficulty, their provision entitlements and expectations for practice within the

classroom. Teachers are encouraged to consult with this document to ensure they are aware of the needs of their pupils, prior to teaching being delivered.

- 7.8.3. A provision plan is used for our highest-tariff -pupils. Any provision plan is the result of a collaborative process between the School, pupil, parent and any other internal/external education/healthcare providers to best support and facilitate the needs of the pupil, within School. Any plan is regularly reviewed to ensure that it remains current and accurately reflects the wishes and needs of the pupil.
- 7.8.4. Protocols for writing/reviewing/amending plans are agreed at the outset - we do not set an arbitrary review period, recognising that some pupils' needs can change rapidly, with others whose needs are likely to remain stable over time.
- 7.8.5. The broad structure of any plan will contain some, or all, of this non exhaustive list:
 - (a) the adjustments, interventions and support required to meet the outcomes identified for the pupil;
 - (b) the expected impact on the pupil's progress, development or behaviour, as appropriate; and
 - (c) clear dates for review.
- 7.8.6. In carrying out any review, the Learning Support Department will consider:
 - (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 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. Parents and the School have the right under section 36(1) of the Children and Families Act 2014 to ask the local authority to make an assessment with a view to drawing up an EHC plan. The School will always consult with parents before exercising this right. If the local authority refuses to make an assessment, the parents (but not the School) have a right of appeal to the First-tier Tribunal (Special Educational Needs and Disability).
- 8.2. 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 co-operate with the local authority to ensure that relevant reviews of EHC plans are carried out as required.
- 8.3. Any additional services that are needed to meet the requirements of the EHC plan will be charged to the local authority if the authority is responsible for the fees and the School is named in Section I of the EHC plan. In all other circumstances the School will agree the charging arrangements with the parent with regard to the provisions of the Equality Act 2010, where applicable.

9. Additional welfare needs

- 9.1. The School recognises that SEND is aligned with the broader School safeguarding ethos. Pupils with special educational needs or learning difficulties may be at risk of being bullied, social exclusion, disaffection or many other poor outcomes. 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 their child's tutor, or Housemaster/Housemistress 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 may not 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 safeguarding (child protection) policy and procedures.

9.5. **Disability**

- 9.5.1. The School recognises that some pupils with special educational needs or learning difficulties may also have a disability. Pupils and parents are referred to the School's Pastoral Policies.
- 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).
- 9.5.3. Uppingham comprises several unique and listed buildings. As such, for children with additional physical and/or sensory needs, special consideration may be required.
- 9.5.4. If a pupil's needs become such that they are significantly above or beyond those considered typical, it is the duty of the School to bring this to the attention of the parents/carer as soon as possible. There may be occasions when it is no longer possible or appropriate for a pupil to continue their education at the School. We consider a pupil's self-esteem and wellbeing as paramount and a predictor of outcomes later in life. If a pupil's difficulties are such that their emotional wellbeing may be negatively affected by continuing to struggle with general expectations of the School his/her position may become untenable. The School will deal with such situations in a sensitive way to minimise any potential for further negative effect and promote positive outcomes for the individual pupil.

10. **Alternative arrangements**

- 10.1. We reserve the right, following consultation with you, to ask or require you to withdraw your child from the School if:
 - 10.1.1. your 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. you have deliberately withheld from the School information which prevents it from effectively addressing your child's learning difficulties;
- 10.1.3. your child's learning difficulties require a level of support, provision or medication which, in the professional judgment of the Headmaster, the School is unable to provide, manage or arrange;
- 10.1.4. your child has special educational needs that make it unlikely he / she will be able to benefit sufficiently from the mainstream education and facilities which we provide.
- 10.1.5. In any of these circumstances we will do what is reasonable to help you to find an alternative placement which will provide your child with the necessary level of teaching and support.
- 10.1.6 We will also provide transfer information to future educational providers to ensure that no pupil's future life outcomes, or educational provision are adversely affected, as a result of leaving Uppingham School. We recognise the impact that moving/leaving school can have upon an individual and undertake to liaise, compassionately, with pupil, parent and future school.
- 10.1.7 When a pupil leaves Uppingham School, and moves to University, the limit of our SEND provision support ends. However, we will provide transfer information, including detail of assessments and exam arrangements. We also advise parents/caregivers/guardians of a pupil with SEND and/or SEMH to register with the student services at a University.
- 10.1.8 Under GDPR, we hold information on file up to the age of 25 years only.

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Next review: September 2023