



Revised  
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# Special Educational Needs Policy

**EDUCATION IN THE CITY AND COUNTY OF SWANSEA  
ADDYSG YN NINAS A SIR ABERTAWE**

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## Introduction

The City and County of Swansea is rightly proud of its record in meeting the needs of children and young people with special educational needs. A particular feature of the Authority's provision is the high numbers of children and young people with special educational needs (SEN) who are educated in mainstream schools.

The Authority recognises that all learners have individual needs. This Special Educational Needs Policy document:

- sets the local and national context;
- provides a definition of special educational needs (SEN) and special educational needs provision;
- outlines the key principles that underpin the Authority's approach to providing for children and young people with special educational needs;
- sets out the Authority's aims in this area;
- outlines the City and County of Swansea's commitment to those children who have greater difficulty in learning than that of their peers;
- relates to children and young people in all our schools, mainstream and special, and to all our communities which share a concern for children with learning difficulties;
- relates to all children and young people with special educational needs. Children will have needs and requirements which may fall into one of the four areas or a combination of these as detailed in the Special Educational Needs Code of Practice for Wales (2002). The areas of need are:
  - communication and interaction
  - cognition and learning
  - behaviour, emotional and social development
  - sensory and/or physical.
- outlines the responsibility and commitment to provide for our children and young people according to their needs, with or without a Statement of Special Educational Needs;
- outlines the commitment to work in partnership with parents and statutory and voluntary agencies;
- recognises the value of involving the child or young person in decisions about their education;
- recognises that all school personnel make an important contribution to the education of children and young people with special educational needs in the school.

It is a policy for all embracing the principles of inclusive education where all children and young people are equally valued and given opportunities to maximise their potential, providing for them, wherever possible, within their own communities.

### **The Local and National Context**

The Special Educational Needs (SEN) Policy contributes to Swansea's Children and Young People's Plan 2011 to 2014 (CYPP) along with related documents including the Inclusion Policy, Inclusion Strategy, Accessibility Strategy and Action Plan and the SEN Strategy, SEN Development Plan and Behaviour Support Plan.

The Special Educational Needs (SEN) Policy primarily contributes to the plans required to meet strategic priority 7 of the CYPP. This priority emphasises that children and young people achieve their educational potential by ensuring that pupils with special educational or additional learning needs have their needs identified and provided for so that they make good progress.

Children and young people with special educational needs are also one of the vulnerable groups referenced in the National Assembly for Wales Circular No: 47/2006, *Inclusion and Pupil Support* and are therefore recognised as having additional learning needs. However, this policy refers to those pupils who are defined as having special educational needs under Section 312 of the Education Act 1996, the SEN and Disability Act 2001 and the Special Educational Needs Code of Practice for Wales, 2002.

## Definitions

Children and young people are defined as having special educational needs in the SEN Code of Practice for Wales if they have a learning difficulty which calls for special educational provision to be made for them.

Children have a learning difficulty if they:

- a) have a significantly greater difficulty in learning than the majority of children 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 children of the same age in schools within the area of the Local Authority;
- c) are under compulsory school age and fall within the definition at (a) or (b) above or would so do if special educational provision was not made for them.

Special educational provision means:

- a) for children of two or over, educational provision which is additional to, or otherwise different from, the educational provision made generally for children of their age in schools maintained by the Local Authority, other than special schools, in the area
- b) for children under two, educational provision of any kind.

(Education Act 1996, Section 312).

The identification and assessment of the Special Educational Needs of children whose first language is not English or Welsh, requires particular care.

Lack of competence in either English or Welsh must not be equated with learning difficulties as understood in the SEN Code of Practice for Wales.

(SEN Code of Practice for Wales 2002, Section 6.14 to 6.16).

## Principles

The City and County of Swansea adopts the fundamental principles outlined in the SEN Code of Practice for Wales, 2002:

- a child with special educational needs should have their needs met;
- the special educational needs of children will normally be met in mainstream school settings;
- the views of the child should be sought and taken into account;
- parents and carers have a vital role to play in supporting their child's education;
- children with special educational needs should be offered full access to a broad, balanced and relevant education, based on the National Curriculum and for the Foundation Phase, the Framework for Children's Learning for 3 to 7-year-olds in Wales (2008)

In addition, in Swansea we believe that

- all schools should recognise and respond to the diverse needs of their learners, while also offering a continuum of support and services to match those needs;
- there should be a fair and equitable allocation of available resources to support all children and young people with special educational needs;
- the effective and efficient use of resources should guide decision making and the allocation of those resources;
- there should be a coherent pattern of provision across the City and County of Swansea to support the needs of children with special educational needs.

## Aims

From our stated principles the City and County of Swansea aims to:

- identify, assess and provide for the children's special educational needs early and efficiently;
- seek to secure the resources to ensure that pupils' needs are effectively met;
- ensure that there is an equitable and coherent continuum of provision to support all children and young people with special educational needs;
- continue to develop an equitable and coherent continuum of Welsh-medium provision according to identified need;
- provide high quality support, guidance and professional development to ensure that all schools provide appropriately for pupils with special educational needs;
- ensure, through regular monitoring, provision for children and young people with special educational needs is of high quality and that resources are appropriately and effectively deployed;
- nurture positive attitudes, and a greater understanding of special educational needs;
- continue to work towards developing inclusive education;
- provide special education in the child's local school whenever possible, taking account of parental wishes unless:
  - a) the school is unsuitable to the child's age, ability and aptitude or to his special educational needs or
  - b) the attendance of the child at the school would be incompatible with the provision of efficient education for the children with whom he would be educated or the efficient use of resources;(Schedule 27, para (3), Education Act 1996)
- provide and encourage appropriate and planned opportunities for involvement in mainstream classes based upon identified individual needs for pupils who are educated in Special Schools or Specialist Teaching Facilities;
- work in partnership with schools, parents and partner agencies to achieve the best for all pupils;
- take into account the views of children and young people when making decisions about education, where possible and appropriate.

## **Implications for the Local Authority (LA)**

The City and County of Swansea in keeping with its policy should make effective arrangements for pupils with special educational needs by:

- continuing to develop inclusive education through a coherent pattern of provision, available in a variety of locations, settings and phases;
- auditing, planning, monitoring and reviewing provision for pupils with special educational needs;
- securing a fair and equitable allocation of resources to ensure that pupils' needs are effectively met, through existing funding mechanisms for targeting pupils with and without statements;
- building the capacity of schools to meet the needs of pupils with special educational needs by providing training, advice and support for those responsible for and working with pupils with special educational needs;
- working in partnership with schools, parents and a range of professional agencies to facilitate early and efficient identification and assessment of children's and young people's special educational needs;
- monitoring resources, including those that are delegated to schools and provided centrally, ensuring their effective use in the pursuit of high quality special educational needs provision;
- working in partnership with parents, regarding them as equal partners in decisions about their children's education and taking into account parental wishes in relation to choice of schools;
- listening to children and young people when assessing their needs and making decisions about their educational provision;
- making special educational provision, in the pupil's local school whenever possible, taking account of parents' and pupils' wishes;
- working in partnership with colleagues from Health and Social Services, taking into account the needs of the whole child. Provision to meet therapy and other Health needs continues to be regarded as primarily the responsibility of the Local Health Board and relevant Health Trust.

## **Statutory responsibilities of the Local Authority in relation to special educational needs**

Under the Education Act, 1996, the Local Authority must:

- keep under review arrangements for special educational provision;
- ensure that children are educated in a mainstream school, subject to certain conditions;
- ensure that teachers are aware of the importance of identification of children with special educational needs in maintained nursery schools and certain early years settings;
- identify and make a statutory assessment of those children for whom they are responsible who have special educational needs and for whom the Local Authority may need to determine the necessary provision;
- ensure that statements of special educational needs are reviewed annually;
- monitor provision for pupils with special educational needs and the implementation of the SEN Code of Practice in schools;
- have regard to the SEN Code of Practice for Wales.

## **Statutory responsibilities of governing bodies of schools in relation to special educational needs**

The governing body of a community, voluntary or foundation school must:

- do its best to ensure that the necessary provision is made for any pupil who has special educational needs
- ensure that, where the 'responsible person' – the Headteacher or the appropriate governor – has been informed by the Local Authority that a pupil has special educational needs, those needs are made known to all who are likely to teach them
- ensure that teachers in the school are aware of the importance of identifying and providing for those pupils who have special educational needs
- consult the Local Authority and the governing bodies of other schools, when it seems to be necessary or desirable in the interests of co-ordinated special educational provision in the area as a whole
- ensure that a pupil with special educational needs joins in the activities of the school together with pupils who do not have special educational needs, so far as is reasonably practical and compatible with the child receiving the special educational provision which their learning needs call for, the efficient education of the pupils with whom they are educated and the efficient use of resources.

The governing body of a maintained school, and the Local Authority in relation to a maintained nursery school must:

- Report annually to parents on the implementation of the school's policy for pupils with special educational needs.

Section 317, Education Act 1996.

## Review and Evaluation

The City and County of Swansea will review this statement of its policy every three years in consultation with its partners.

On an annual basis it will review the progress towards the aims set out in this document through the mechanism provided by the Special Educational Needs Development Plan and SEN Strategy.

The SEN Policy will be subject to an Equalities Impact Assessment.

## Appendix 1

### Children & Young People Plan 2011 – 2014 Guidance

The CYPP is one of the statutory plans that will contribute to Swansea's Community Strategy, *Shared Ambition is Critical 2010 - 2014* in line with new Welsh Assembly Government guidance.

The Community Strategy introduces seven strategic objectives.

1. Improve Swansea's environment for everyone
2. Make a better Swansea for all children and young people
3. Ensure excellent education opportunities for everyone in Swansea
4. Make Swansea safer for everyone
5. Make Swansea more prosperous for everyone
6. Improve health, social care and wellbeing in Swansea for everyone
7. Make better use of our resources

The objectives are delivered through clearly identified plans and partnerships with the Better Swansea Partnership having overall responsibility for achieving these objectives.

Swansea Children & Young People Partnership has responsibility for preparing and implementing the CYPP. It brings together representatives of the agencies and organisations which provide services for children, young people and their families in Swansea.

The CYPP has a shared vision for children and young people:

*We want all children and young people in Swansea to develop to their full potential.*

*We want children and young people in Swansea to have a flying start in life, be healthy, be safe in the home, in school and in the wider community, be educated, enjoy life, have a voice and make a positive contribution to help improve Swansea. Underpinning the vision is the key value that children and young people have unchallengeable rights: the right to be treated equally without discrimination; to be safe, valued, supported and included.*

The CYPP identifies six outcomes which cover the Welsh Assembly Government's seven core aims for children and young people:

- Have a flying start in life;
- Are healthy;
- Are safe;
- Continue to learn;
- Enjoy life; and
- Make a positive contribution.

However The CYPP also notes three big issues in Swansea which have influenced the priorities of the CYPP:

- Safeguarding children and young people;

- The impact of substance misuse; and
- The impact of family poverty.

In order to improve outcomes for all children and young people and being mindful of the three big issues the CYPP has agreed 11 strategic priorities:

1. Make good progress in their early development;
2. Live in safe, stable and caring families;
3. Are supported to have a healthy lifestyle and feel good about themselves;
4. Are supported with any additional health needs they have;
5. Are safe at home, at school, in the community and online;
6. Fully participate in, and enjoy, learning;
7. Achieve their educational potential;
8. Have opportunities to have fun and enjoy life;
9. Have the support, advice and encouragement they need to contribute to their community;
10. Can influence decisions that affect them and
11. Have the best possible start to their adult life.