

Special Educational Needs and Learning Disabilities Policy

Brooke House College

2021/22 Version

1 Aims

- 1.1 The aims of this policy are to promote good practice in our detection and management of special educational needs and to explain the support we can provide for children who have learning disabilities and the co-operation we will need from parents.
- 1.2 This policy can be made available in large print or other accessible format, if required.

2 "Special educational needs" and "learning disability"

- 2.1 Children have special educational needs if they have a learning disability, which call for special educational provision to be made for them.
- 2.2 Children have a learning disability if they:
 - 2.2.1 have a significantly greater disability in learning than the majority of others of the same age; or
 - 2.2.2 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 (if your child has a disability, please ask to see our Disability policy);
 - 2.2.3 are under five and fall within the definition at 2.2.1 or 2.2.2 above or are likely to do so do when of compulsory school age if special educational provision was not made for the child.
- 2.3 A child must not be regarded as having a learning disability 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.* (section 20 (4) Children and Families Act 2014). However, children for whom English is an additional language will be provided with appropriate support provided they meet the College's academic criteria. Please refer to the College's policy for pupils with English as an additional language.
- 2.4 A child who finds a particular subject difficult does not necessarily have a "learning disability" 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. This is a principle understood by all academic staff and is provided for by the College's strategy of ensuring small class sizes and differentiated teaching.
- 2.5 The expression "learning disability" covers a wide variety of conditions and may include those known as dyslexia, dyscalculia, dyspraxia, attention deficit (hyperactivity) disorder, semantic processing disability 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.
- 2.6 Learning disabilities 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 disability becomes apparent for the first time at the age of 11+ or older, when the educational pressures tend to increase.

3 Policy statement

- 3.1 **The College:** Brooke House is a non-selective, mainstream independent college that accepts pupils from the age of 11 years, including those with learning disabilities.

3.2 **Provision:** The provision which we can make for children who appear to have a learning disability includes: learning support, additional specialist teaching, and referral to an educational psychologist for a formal assessment.

3.3 **Consultation:** We will do all that is reasonable to report and consult with parents about their child's learning disabilities and to ensure that teachers are given any necessary information about a child's learning disabilities and that teaching practices are appropriate.

4 **Implementation and procedures**

4.1 **Screening for learning disabilities:** Upon admission, parents of pupils at the College are asked to provide all details of any learning disabilities already identified in their child. Upon enrolment, and under the guidance of the SENDCO, teaching staff are required to report any circumstances or evidence of the potential presence of learning disabilities among pupils in their classes to the SENDCO.

4.2 **Circumstances indicating the potential presence of learning disabilities:** Where evidence and circumstances give us reason to think that your child may have a learning disability, we will report and consult with you as necessary and make recommendations.

4.3 **Formal assessment:** Where circumstances indicate that your child may have a learning disability which ought to be assessed without delay, we will ask you to agree to your child being formally assessed by an educational psychologist and we will ask you to agree to follow his/her recommendations unless there are persuasive reasons to the contrary. You may consult an educational psychologist retained by the College, or one of your own choice. The cost in either case must be borne by you as the parents.

4.4 **Additional specialist teaching:** As an alternative, and if justified in the circumstances, we may suggest a course of additional specialist teaching by a qualified specialist on a one-to-one basis in College. This would normally be two periods of 45 minutes per week in term time. The College reserves the right to charge for the provision of additional specialist teaching.

4.5 **Half a term's notice in writing:** is required to terminate additional specialist teaching.

4.6 **Learning support:** The circumstances may indicate the potential presence of a learning disability but these may not be such as to indicate a need for an immediate formal assessment or a course of additional specialist teaching. In these circumstances, we may suggest that your child gives up one of the normal curriculum subjects and instead attends a small learning support group, which will concentrate on developing the skills necessary for them to access the curriculum more effectively. Learning support of this kind will be provided at no additional cost. Your child's progress and needs will be monitored and, if necessary, we will recommend a formal assessment if learning support does not appear to be meeting your child's needs.

4.7 **Code of Practice:** Our approach to the detection and management of learning disabilities will be guided by the *Special educational needs and disability code of practice: 0 to 25 years* (DFE - 0000205-revised 2014), Department for Education (DfE), July 2014 (**Code**), or any substituting or amending code of practice issued from time to time by the Department for Education (**DfE**). In general, our approach will be cautious so as not unnecessarily to run the risk of a child being labelled with a learning disability when a later assessment might result in a different explanation for the disability.

- 4.8 **Education Health and Care plans (EHC plan):** Parents and the College 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 College will always consult with parents before exercising this right. If the local authority refuses to make an assessment, the parents (but not the College) have a right of appeal to the First-tier Tribunal (Health Education and Social Care).
- 4.9 Where a prospective pupil has an EHC plan (previously a Statement of Special Educational Needs), we 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 College. We will co-operate with the local authority to ensure that relevant reviews of EHC plans are carried out as required.
- 4.10 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 "reasonable adjustments" where no charge will be made, in accordance with the provisions of the Equality Act 2010.
- 4.11 **Welfare needs:** The College recognises that pupils with special educational needs or learning disabilities may be at risk of being bullied. The College has an anti-bullying policy, which makes it clear that bullying behaviour of any kind is not acceptable and will be taken very seriously. If parents are concerned about their child's welfare they can approach the College's Vice Principal to discuss their concerns in private at any time.
- 4.12 **Disability:** The College recognises that some pupils with special education needs or learning disabilities may also have a disability. Pupils and parents should refer to the College's Disability policy. The College will make all reasonable adjustments in order to afford opportunity to disabled pupils. However if, despite such adjustments, the College is unable to provide adequately for the pupil's needs, the College may decline to offer a place to a pupil or request you withdraw your child from the College (see 5.1below).
- 4.13 **Special Educational Needs & Disability Co-ordinator (SENDCo):** The Special Educational Needs & Disability Co-ordinator has responsibility for:
- 4.13.1 ensuring liaison with parents and other professionals in respect of a child's special educational needs;
 - 4.13.2 advising and supporting other staff in the College;
 - 4.13.3 ensuring that appropriate Individual Education Plans are in place;
 - 4.13.4 ensuring that relevant background information about individual children with special education needs is collected, recorded and updated in accordance with the Data Protection Act 2018 (DPA 2018);
 - 4.13.5 Ongoing implementation of the Special Educational Needs and Learning disabilities Policy;
 - 4.13.6 undertaking any other appropriate duties in accordance with the Code of Practice on special educational needs.
- 4.14 **Responsibility:** 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 College or outside but must ensure that the College is provided with copies of all advice and reports received.

- 4.15 **External teaching:** Parents may opt for additional specialist teaching outside the College, provided that the Principal is satisfied with your 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 College.
- 4.16 **Information:** Because dyslexia and some other learning disabilities are often inherited, it would be helpful for us to know at the outset if you (either parent) or your children or close relations have been affected by a learning disability at any time. Confidential information of this kind will only be communicated on a "need to know" basis and in accordance with appropriate consent being given as laid out in the DPA 2018. Parents should provide us with a copy of any report or recommendations which have been made in relation to special educational needs at your child's previous school or elsewhere within the last 12 months.
- 4.17 **Concerns:** We need to know immediately if your child's progress or behaviour causes you concern so that we can devise and agree a strategy with you and carry it out.
- 4.18 **Examinations:** Children who have been diagnosed as having a learning disability may be eligible to apply for extra time to complete internal examinations and public examinations. You are asked to liaise with the Vice Principal (Academic) in good time with respect to this.

5 **Alternative arrangements**

- 5.1 **Withdrawal:** We reserve the right, following consultation with you, to ask or require you to withdraw your child from the College if, in our opinion after **making all reasonable adjustments and exhausting appropriate strategies:**
- 5.1.1 your child is in need of a formal assessment, additional specialist teaching, learning support or medication to which you do not consent; and / or
 - 5.1.2 you have withheld information from the College which, had the information been provided, would have made a significant difference to the College's management of your child's learning difficulties; and / or
 - 5.1.3 your child's learning disabilities require a level of support or medication which, in the professional judgment of the Principal, the College is unable to provide, manage or arrange;
 - 5.1.4 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.
- 5.2 **Alternative placement:** 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.
- 5.3 **Financial:** Withdrawal of a pupil in these circumstances will not incur a charge to fees in lieu of notice. The deposit paid in respect of your child will be credited to your account.

Authorised by	resolution of the Board of Directors
Signed	
	On behalf of the Board of Directors
Date	August 2021

Schedule of Updates

Date document updated	Document updated by	Summary update/comments	Location of saved file
April 2016	GIW / JW / RP	Updated in response to Inspection Report Feb 2016 and in keeping with terms of Action Plan of March 2016. VWV advice taken.	Dropbox – SMT – Policies Final
July 2018	MCO	Updated in response to DPA 2018 and appointment of Vice Principal	Dropbox – SMT – Policies Final
July 2019	MCO	No material change. ‘difficulties’ replaced with ‘disabilities’	Dropbox – SMT – Policies 2021-2022

Schedule of Review

Date of document review	Reviewed by	Scheduled date of next review
July 2017	MCO	July 2018
July 2018	MCO	July 2019
July 2019	MCO	July 2020
July 2020	MCO	JULY 2021
July 2021	MCO	July 2022

Report to parents: possible learning disability indicated

Dear Parents

[• Year 3] screening for learning disabilities

As you may already be aware, the College employs a strategy of ongoing monitoring of all pupils for the purposes of identifying the presence of learning disabilities in each individual. Recently, circumstances have indicated the possibility that [• insert name] may have a learning disability in the area of [• please describe]. As yet, this is not a diagnosis, but rather a notice to you that we have detected circumstances which need further investigation or a formal assessment. It may turn out that your child has no learning disability after all.

I enclose a copy of the College's Policy on Special Educational Needs and Learning disabilities, 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]

Owing to the fact that monitoring has revealed that [•insert name]'s is performing considerably below the levels normally to be expected of children of his/her 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 disability. I also enclose a copy of the College's policy about learning disabilities, which I should be grateful if you would read carefully and keep with your records. If [• name of pupil] turns out to have a learning disability 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 [my secretary] for a convenient appointment 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

[Principal]