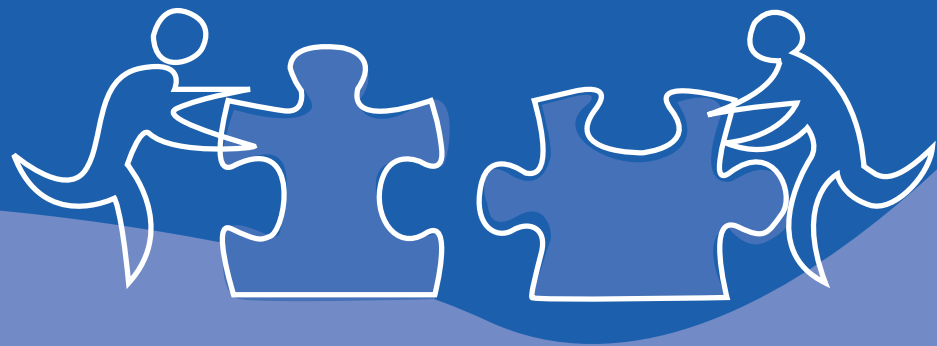




ADDITIONAL LEARNING NEEDS (ALN) AND THE GOVERNING BODY

Summary of the duties
of the Governing Body
in relation to pupils with
Additional Learning
Needs (ALN)



June 2010

TORFAEN
COUNTY
BOROUGH



BWRDEISTREF
SIROL
TORFAEN



ADDITIONAL LEARNING NEEDS AND THE GOVERNING BODY

CONTENTS

- 1.** Introduction
- 2.** Duties of the Governing Body
- 3.** SEN Policy: legal requirements
- 4.** Monitoring SEN in School: key questions
- 5.** Published Information and Policy

1. INTRODUCTION

This guide is designed to summarise the duties of the governing body in relation to pupils with special educational needs (SEN) and to support them in fulfilling those duties. It should be read in conjunction with the SEN Code of Practice for Wales (2004) which describes very clearly the responsibilities for Local Authorities (LA's) and schools in making appropriate provision for children with special educational needs. If you have any queries, please contact:

Dermot McChrystal

Effectiveness & Improvement Leader for Inclusion

01633 647333

Tracy Tucker

Additional Learning Needs Manager

01633 647372

Stuart Foster

Head of Governor Services

01633 647634

2. DUTIES OF THE GOVERNING BODY

Governing Bodies have a legal duty to have regard to the SEN Code of Practice for Wales (2004).

Listed below are the **duties** of the governing body, including those introduced by the Special Educational Needs and Disability Act 2004.

The governing body must:

- Do its best to ensure necessary provision is made for any pupil with SEN.
- Secure that, where the Headteacher, or the appropriate governor (the “responsible person”) has been informed by the LA that a pupil has SEN, those needs are made known to all who are likely to teach him or her.
- Ensure that parents/carers are informed when a child begins to receive additional provision for his or her SEN. (This duty may be delegated to the Headteacher).
- Secure that teachers in the school are aware of the importance of identifying and providing for pupils with SEN.
- Consult with the LA and other bodies regarding special needs provision, where this is desirable.
- Ensure that the school does not unlawfully discriminate against a disabled pupil in the education or associated services provided for, or offered to, pupils at the school.
- Ensure that the school does not unlawfully discriminate against a disabled pupil by excluding him/her either permanently or temporarily.
- Ensure that a pupil with SEN joins in school activities with pupils who do not have such needs, so far as is reasonably compatible with the pupil receiving the necessary special education, the efficient education of other children in the school and the efficient use of resources.
- (In the case of foundation and voluntary aided schools which determine their own admission arrangements) ensure that admission arrangements do not discriminate against disabled pupils either on the terms on which the school offers admissions or by refusing or deliberately omitting to accept an application from a disabled person. For community and controlled schools this duty applies to the LA.

3. SEN POLICY: LEGAL REQUIREMENTS

Governing bodies are required to draw up and publish a policy on special education and this must describe procedures the school uses to identify, provide for and monitor SEN provision. The policy must contain the following points as detailed in regulations:

1. Basic information about the school's special educational provision:

- objectives of SEN Policy;
- name of school's Special Educational Needs Co-ordinator [SENCO] or teacher responsible for the day to day operation of the SEN Policy;
- arrangements for co-ordinating SEN provision:
- admission arrangements;
- any SEN specialisms and/or special units;
- any special facilities including those which increase or assist access of disabled pupils.

2. Information about the school's staffing policies for identification, assessment and provision for all pupils with SEN:

- allocation of resources to and amongst pupils with SEN;
- identification, assessment monitoring and review procedures;
- curriculum access arrangements;
- how SEN pupils are included in all school activities
- arrangements for complaints about SEN provision
- criteria for evaluating success of the SEN policy.

3. Information about the school's staffing policies and partnership with bodies beyond the school:

- SEN in-service training arrangements;
- use made of teachers and facilities from outside the school, including support services;
- arrangements for partnership with parents;
- transition arrangements and links with other mainstream and special schools;
- links with Health and Social Services, Education Welfare Services and any voluntary organisations.

4. MONITORING SEN IN SCHOOL

To carry out their legal responsibilities for children with SEN Governors will need to establish and know:

- How are childrens' needs identified?
- How are staff informed about SEN pupils?
- Are identified needs being fully provided for?
- Are children with SEN included in all aspects of school life?
- Are children with SEN making at least adequate progress and how is this measured, reviewed and monitored?

Monitoring the effectiveness of the school's SEN policy can be done in various ways.

Good practice indicates that the governing body delegates the task to the SEN Governor, or a committee in conjunction with the SENCO, or a working party set up for this purpose.

In monitoring the effectiveness of SEN provision the following checklist may prove helpful:

1. School Policy

Does it:

- Need updating or reviewing?
- Reflect the requirements of the SEN Code of Practice?
- Reflect what happens in the school?
- Encourage staff to recognise their responsibilities for pupils with SEN?
- Reflect any action points that have emerged from e.g. school self-evaluation, School Development Planning, Estyn Inspection reports and Torfaen SEN Monitoring?
- Relate to the accessibility plan.
- Relate to other school policies such as equal opportunities and behaviour and discipline.
- Describe the graduated response (*School Action/School Action Plus*) for pupils with identified needs relating to emotional and behavioural difficulties?
- Set targets/criteria to measure the success of the policy?

2. Pupils with SEN

- How many children have identified needs?
- How many children have statements?
- How many children are undergoing statutory assessment?
- How many children receive additional help at *School Action/Action Plus*?
- How are special needs identified and assessed?
- How are pupils with SEN spread across age groups/classes/sets?
- Do all pupils with statements, or who are at *School Action/Action Plus* have individual education plans [IEPs]?
- Do IEPs set targets that are specific and measurable?
- How and when are targets reviewed?
- Do IEP reviews enable the progress of pupils to be assessed against set targets over time?
- Do all statemented pupils have an annual (Statutory) review of their SEN?
- Do pupils participate in their annual reviews and/or IEP reviews? Are their views recorded?
- Are there any notable successes/achievements from groups or individuals?
- Are arrangements in place for supporting pupils during transition to other phases of education?
- Are there any time-tabling issues that affect pupils with SEN?
- Are there any changes in numbers and/or trends over recent years with regard to pupils with SEN?

3. Staffing and teaching arrangements:

"All teachers are teachers of children with SEN." (Code of Practice, Wales 2004)

How does school policy and practice facilitate this?

- How are staff informed about identified pupils?
- How are special needs taken into account in the school's staffing structure and staff appointments?
- How are SEN staff deployed?

- How is good practice disseminated?
- Does the SENCO have sufficient resources in terms, for example, of dedicated time for termly reviews of IEPs and liaison with parents/carers, colleagues and external agencies?
- Does the SENCO have sufficient status / appropriate line management to be effective in terms, for example, of being involved in senior management decisions regarding provision, budget etc?
- Does the SENCO receive support and supervision, and are there clear lines of accountability for SEN matters?
- Are there sufficient opportunities for SEN training for both teaching and non-teaching staff?

4. Curriculum arrangements

- Do pupils with identified needs have access to the whole curriculum, including activities, outings and events?
- Do pupils with SEN enter national tests and public examinations?
- Do any pupils follow a modified or disapplied curriculum?
- Do the levels of achievement match the IEP targets?
- How do pupils with SEN access the curriculum?
- How does the curriculum encourage awareness and respect for difference?
- How are the small steps of progress made by some pupils recorded and recognised?
- How many pupils with SEN, in secondary schools, follow alternative Key Stage 4 programmes? How is this monitored and reported on?

5. Finance

- What amount of delegated funding is allocated for SEN for the year through budget allocation?
- What does this provide? (In addition to staff costs, provision should include administration costs; the purchase of external services; training and resources).

- What amount of funding is received for statemented pupils? Is this sufficient to meet the described needs of statemented pupils?
- What monitoring arrangements does the LA make with regard to delegated SEN funding and statemented provision?
- What additional funding is used to support the continuum of SEN? (e.g. through the general school budget; standards funds; other external sources).
- How is funding spread between *School Action* and *School Action Plus*?
- How transparent is the information given to parents on SEN funding issues?

6. Resources

- What resources are available for SEN pupils?
- Are SEN resources available and accessible to all pupils/classes/individuals?
- Are resources differentiated for different levels and needs?
- Are there any gaps in SEN resources?
- Is full use made of ICT?
- Is there a local resource base for SEN?

7. Links with external agencies

- What level of external advice is sought from the Integrated Improvement and Effectiveness Team?
- What use is made of other professionals and services? [Educational Psychology Service, Outreach from Special Schools, Education Welfare Service, Health Services, etc].
- What links are made with local mainstream/special schools?
- What links are made with voluntary organisations?

8. Buildings

- Does the school have an accessibility plan?
- Does the accessibility plan include phased improvements for children with disabilities?
- Does the school have adequate facilities for pupils with medical needs?

9. Record keeping

- Are SEN records maintained and regularly updated, e.g. through regular reviews of individual education plans [IEPs]?
- Are pupils' views included in IEPs?
- Are records from previous schools incorporated into pupil planning?
- Who is responsible for the SEN record keeping system?
- Who has access to the records?

10. Break and lunchtime arrangements

- Does the school make any special arrangements for SEN pupils at these times?
- Do support staff/lunchtime supervisors have any training requirements in relation to SEN children?
- Is playground equipment suitable for SEN pupils?
- Are SEN pupils ever excluded at lunchtimes because of insufficient supervision?

11. Partnership with parents

- How are all parents/carers kept informed about SEN matters?
- How are individual parents/carers informed/consulted about the progress of their children with SEN? [e.g. through IEP reviews, parents evenings etc].
- Do parents/carers always get a copy of their child's IEP?
- Are parents/carers and pupils involved in target-setting?
- Are parents/carers involved in monitoring their child's progress and helped to help their child at home?
- Are parents aware of how to make a complaint or raise an issue about SEN in the school?

12. Admissions (particularly voluntary aided and foundation schools)

- How does the admissions criteria impact on the admission of children with SEN?
- How do admissions of children with SEN compare with those at other schools in the area?
- Does the school work with the LA to take a fair share of pupils with emotional and behavioural difficulties who may have been excluded from other schools?
- Has the school taken reasonable steps to ensure that the inclusion of children with learning difficulties will not be incompatible with the “efficient” education of other children?

13. Discipline

- How many pupils with SEN have been excluded?
- Does the discipline committee regularly review exclusions of children with SEN?
- Has the school policy changed as a result of such reviews?

14. Information for the governing body

- How are Governors kept informed about SEN matters?
- Who is responsible for this information?
- Do governors hold surgeries for parents/carers or attend PTA meetings?

5. PUBLISHED INFORMATION AND POLICY

The SEN Code of Practice for Wales (2004) and changes in SEN funding arrangements (delegation) has resulted in the need for the governing body to be very clear about their responsibilities with regard to SEN arrangements, provision and funding, and to provide parents/carers with clear information, particularly with regard to the effectiveness of the school's work on behalf of SEN pupils.

In relation to the SEN policy, the governing body should be involved in developing and monitoring SEN policy, and have a good understanding of current SEN provision, including the appropriate use of funding and deployment of equipment and personnel.

The only statutory requirements in relation to information that must be included in the school prospectus are:

- Information on arrangements for the admission of pupils with disabilities
- Details of steps to prevent disabled pupils being treated less favourably than other pupils;
- Details of existing facilities to assist access to the school by pupils with disabilities;
- The accessibility plan (required under the Disability Discrimination Act 1995) covering future policies for increasing access to the school by pupils with disabilities;
- Information about the implementation of the governing body's policy on pupils with special educational needs and any changes to the policy during the last year.
- Visits to school by Local Authority Monitoring Officers may highlight issues which should be brought to the attention of the governing body for information and where necessary action taken.

Governors must, at least annually, consider and report on the effectiveness of the school's work on behalf of children with SEN. (Code of Practice for Wales 2004)