***The new Special Educational Needs and Disability Code of Practice was updated in 2015. It is available at*** <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND_Code_of_Practice_January_2015.pdf>

At Clarecroft we are committed to the inclusion of all children. All children have the right to be cared for and educated to achieve the best possible outcomes, to share opportunities and experiences and develop and learn alongside their peers. We provide a positive and welcoming environment where children are supported according to their individual needs and we work hard to ensure no child is discriminated against or put at a disadvantage as a consequence of their needs. Each child’s needs are unique and we do not attempt to categorise children.

We recognise that some children may have additional needs that may require particular help, intervention and support. These needs may be short-lived for a particular time in the child’s life or may require longer-term or lifelong support. At all times we will work alongside each child’s parents and any relevant professionals to share information, identify needs and help the child and their family access the support they need.

In accordance with our admissions policy, we are committed to providing a childcare place, wherever possible, for children who may have special educational needs (SEN) and/or disabilities according to their individual circumstances, and the nursery’s ability to make any reasonable adjustments in order to provide the necessary standard of care. All children will be given a full settling in period when joining the nursery according to their individual needs.

We are committed to working in partnership with parents in order to meet each child’s individual needs and develop to their full potential. We are committed to working with any child who has a special educational need and/or disability and making reasonable adjustments to enable every child to make full use of the nursery’s facilities. All children have a right to a broad and well-balanced early learning environment.

We undertake a Progress Check of all children at age two, in accordance with the Code of Practice (2015) and statutory framework for the EYFS. We will also undertake an assessment at the end of the Early Years Foundation Stage for any children that remain with us in the final term of the year in which they turn five, as per the statutory framework for the EYFS. We regulary observe children to ensure that they are developing and meeting next steps.

Where we believe a child may have special education needs and/or a disability that has not previously been acknowledged, we will work closely with the child’s parents and any relevant professionals to establish the child’s needs and to secure any action that may be required. We recognise that children with disabilities may not have SEN but may need the nursery to make reasonable adjustments to enable them to make full use of the nursery’s facilities. If we identify any areas where a child’s progress is less than expected to establish if any additional action is required. This may include:

* Liaising with any professional agencies
* Reading any reports that have been prepared
* Attending any review meetings with the local authority/professionals
* Observing each child’s development and assessing such observations regularly to monitor progress.

All new children will be given a full settling in period when joining the nursery according to their individual needs.

We will:

* Recognise each child’s individual needs and ensure all staff are aware of, and have regard for, the Special Educational Needs Code of Practice (2015)
* Ensure that all children are treated as individuals/equals and are supported to take part in every aspect of the nursery day according to their individual needs and abilities
* Include all children and their families in our provision
* Identify the specific needs of children with special educational needs and/or disabilities and meet those needs through a range of strategies
* Ensure that children who learn at an accelerated pace e.g. ’most able’ are also supported
* Encourage children to value and respect others
* Provide well informed and suitably trained practitioners to help support parents and children with special educational difficulties and/or disabilities
* Develop and maintain a core team of staff who are experienced in the care of children with additional needs and identify a Special Educational Needs and Disabilities Co-ordinator (SENCO) who is experienced in the care and assessment of children with additional needs. Staff will be provided with specific training relating to SEND and the SEND Code of Practice
* Monitor and review our practice and provision and, if necessary, make adjustments, and seek specialist equipment and services where required
* Challenge inappropriate attitudes and practices
* Promote positive images and role models during play experiences of those with additional needs wherever possible
* Celebrate diversity in all aspects of play and learning
* Work in partnership with parents and other agencies in order to meet individual children's needs, including the education, health and care authorities, and seek advice, support and training where required
* Share any statutory and other assessments made by the nursery with parents and support parents in seeking any help they or the child may need.

**Legal framework and definitions**

The relevant legislation underpinning this policy includes:

* [The Children and Families Act 2014, Part 3](http://www.legislation.gov.uk/ukpga/2014/6/contents/enacted)
* [The Equality Act 2010](http://www.legislation.gov.uk/ukpga/2010/15/contents)
* [Special Educational Needs and Disability Regulations 2014](http://www.legislation.gov.uk/uksi/2014/1530/contents/made)
* Statutory Framework for the Early Years Foundation Stage
* [Working Together to Safeguard Children](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/281368/Working_together_to_safeguard_children.pdf)
* The SEND Code of Practice 2015

We use the definitions set out in the law to describe SEN and disabilities.

* A child has SEN if they have a **learning difficulty, disability or special educational needs** which calls for **special educational provision** to be made for them.
* **Special educational needs, learning difficulty or disability** means that a child of compulsory school age has a significantly greater difficulty in learning than the majority of other children of the same age; and/or has a disability which prevents or hinders them from making use of the sort of facilities generally provided for others of the same age.
* For children aged two or above, **special educational provision** is educational provision that is additional to or different from that made generally for other children of the same age. For a child under two years of age, special educational provision means educational provision of any kind.
* A child under compulsory school age has SEN if he or she is likely to have a learning difficulty or disability when they reach compulsory school age or would do so if special educational provision was not made for them.
* A **disability** is defined in the [Equality Act 2010](http://www.legislation.gov.uk/ukpga/2010/15/contents) as ‘a physical or mental impairment which has a long-term and substantial adverse effect on their ability to carry out normal day-to-day activities’. ‘Long-term’ is defined as ‘a year or more’ and ‘substantial’ is defined as ‘more than minor or trivial’. This definition includes sensory impairments such as those affecting sight or hearing, and long-term health conditions such as asthma, diabetes, epilepsy, and cancer. Children with such conditions do not necessarily have SEN, but there is a significant overlap between disabled children and those with SEN. Where a disabled child requires special educational provision they are also be covered by the SEN definition.

Aims

The nursery has regard to the statutory guidance set out in the SEND code of practice 0 to 25 years. We have clear arrangements in place to support children with SEN and disabilities. We aim to:

* Recognise each child’s individual needs through gathering information from the child, parents and others involved with the child on admission and through our procedures for observation and assessment
* Ensure all staff understand their responsibilities to children with SEN and disabilities and have regard to the guidance given in the Special Educational Needs and Disability Code of Practice 2015
* Plan, provide and help parents to obtain any additional help or support for any needs not being met by the universal service provided by the nursery
* Include all children and their families in our provision, making reasonable adjustments where needed
* Provide well-informed and suitably trained practitioners to help support parents and children with special educational needs and/or disabilities.
* Identify any emerging concerns that might suggest a child has special educational needs and/or disabilities at the earliest opportunity and plan for those needs through a range of strategies
* Share any information received and assessments made by the nursery with parents and support parents in seeking any help they or the child may need
* Seek any additional help needed including requesting an Education, Health and Care (EHC) Needs Assessment where the nursery’s own actions are not helping the child to make progress
* Work in partnership with parents and other agencies in order to meet the individual children's needs, including health services and the local authority, and seek advice, support and training where required
* Monitor and review our practice and provision and, if necessary, make adjustments and seek specialist equipment and services if needed
* Ensure that all children are treated as individuals/equals and are encouraged to take part in every aspect of the nursery day according to their individual needs and abilities
* Ensure that gifted and talented children who learn more quickly are also supported
* Encourage children to value and respect others
* Challenge inappropriate attitudes and practices
* Promote positive images and role models during play experiences of those with additional needs wherever possible
* Celebrate diversity in all aspects of play and learning.

Methods

We will:

* Develop and maintain a core team of staff who are experienced in the care of children with additional needs. Staff will be provided with specific training to help them make any special educational provision needed and meet the requirements of the Special Educational Needs and Disability Code of Practice 2014
* Identify a member of staff to be our Special Educational Needs Co-ordinator (SENCO) and share their name with parents (see below for an explanation of their role)
* Provide a statement showing how we provide for children with learning difficulties and/or disabilities and share this with staff, parents and other professionals
* Ensure that the provision for children with learning difficulties and/or disabilities is the responsibility of all members of staff in the nursery
* Ensure that our inclusive admissions practice includes equality of access and opportunity
* Ensure that our physical environment is, as far as possible, suitable for children and adults with disabilities
* Work closely with parents to create and maintain a positive partnership which supports their child(ren)
* Provide differentiated activities to meet all individual needs and abilities to give a broad and balanced early learning environment for all children including those with learning difficulties and/or disabilities
* Ensure that parents are consulted with and kept informed at all stages of the assessment, planning, provision and review of their child's care and education, including seeking any specialist advice
* Ensure that children’s views are sought and listened to
* Use a graduated approach (see explanation below) to identifying, assessing and responding to children who have emerging difficulties, suggesting they may have special educational needs or a disability that requires a different approach
* When planning interventions and support, agree the outcomes and the expected impact on progress and a date for review
* Hold review meetings with parents at the agreed times and agree any changes or adjustments to support
* Seek any further advice or support needed including multi-agency approaches, Early Support and requesting an Education, Health and Care (EHC) Needs Assessment where the nursery’s own actions are not helping the child make progress
* Liaise with other professionals involved with children with learning difficulties and/or disabilities and their families, including transfer arrangements to other settings and schools. We work closely with the next school or care setting and meet with them to discuss the child’s needs to ensure information exchange and continuity of care
* Signpost parents and families to our Local Offer in order to access local support and services
* Provide parents with information on sources of independent advice and support
* Keep records of the assessment, planning, provision and review for children with learning difficulties and/or disabilities in accordance with the SEND Code of Practice January (2015) / statutory framework for the EYFS
* Provide resources, in so far as we can (human and financial), to implement our SEN/disability policy
* Make reasonable adjustments to our physical environment to ensure it is, as far as possible suitable for children and adults with disabilities using the facilities
* Provide a broad, balanced, aspirational early learning environment for all children with SEN and/or disabilities and differentiated activities to meet all individual needs and abilities
* Ensure the privacy of children with learning difficulties and/or disabilities when intimate care is being provided
* Provide in-service training for practitioners and volunteers
* Raise awareness of any specialism the setting has to offer, e.g. Makaton trained staff
* Ensure the effectiveness of our SEN/disability provision by collecting information from a range of sources e.g. assessment information, targeted plans and outcomes, staff and management meetings, parental and external agencies’ views, inspections and complaints. This information is collated, evaluated and reviewed annually
* Provide a complaints procedure and make available to all parents in a format that meets their needs e.g. braille, audio, large print, additional languages
* Monitor and review our policy annually.

**The role of the Special Education Needs Co-ordinator (SENCO)**

The role of the SENCO is to provide a lead for staff in relation to SEN and disabilities and to make sure procedures are followed, appropriate records kept and parents are involved. The child’s practitioner (key person) will normally remain responsible for working with the child on a daily basis and for planning and delivering an individualised programme. The particular responsibilities of our SENCO are:

* ensuring all practitioners in the setting understand their responsibilities to children with SEN and the setting’s approach to identifying and meeting SEN
* advising and supporting colleagues
* ensuring parents are closely involved throughout and that their insights inform action taken by the setting
* liaising with professionals or agencies beyond the setting.

**Our Nursery SENDCO is Claire Smith**

**Graduated approach**

In line with requirements of the Special Educational Needs and Disability Code of Practice, we take a graduated approach to working with children with emerging concerns and their families. This approach includes:

* An analysis of the child’s needs including whether we should seek more specialist help from health, social services or other agencies
* An agreement about the interventions and support needed and the expected impact on progress and a date for review
* Implementation of the interventions or programmes agreed, including assessing the child’s response to the action taken
* A review of the effectiveness of the support and its impact on the child’s progress by the key person, SENCO, the child’s parent(s) and the views of the child, including any agreed changes to outcomes and support
* Revisiting this cycle of action in increasing detail and frequency including seeking further specialist help to secure good progress until the SENCO, key person, the child’s parent(s) and any other professionals involved agree intervention is no longer needed or decide to request an education, health and care needs assessment (see below).

**Education, Health and Care (EHC) Needs Assessment and Plan**

If the help given through the nursery’s graduated approach is not sufficient to enable the child to make satisfactory progress, we may request, in consultation with the parents and any external agencies already involved, an assessment of the child’s needs by the local authority. This is called an Education, Health and Care (EHC) assessment. The assessment will decide whether a child needs an EHC assessment plan. This plan sets out in detail the education, health and social care support that is to be provided to a child who has SEN or a disability. The local authority will consult with parents and let them know the outcome of the assessment.

The local authority will conduct the EHC needs assessment and take into account a wide range of evidence, including:

* Evidence of the child’s developmental milestones and rate of progress
* Information about the nature, extent and context of the child’s SEND
* Evidence of the action already being taken by us as the early years provider to meet the child’s SEND needs
* Evidence that, where progress has been made, it has only been as the result of much additional intervention and support over and above that which is usually provided
* Evidence of the child’s physical, emotional and social development and health needs, drawing on relevant evidence from clinicians and other health professionals and what has been done to meet these by other agencies.

**Early Support**

Where children have disabilities we may seek additional help and resources through the Early Support Programme whichco-ordinates health, education and social care support for the parents and carers of disabled children from birth to adulthood. There is more information on the Council for Disabled Children website: <http://councilfordisabledchildren.org.uk/earlysupport>

**Targeted SEND funding**Where a child has disabilities and we need additional help such as a one to one support or resources to help them achieve, with a parents permission and other agencies involved, we can apply for Targeted SEND funding which gives us money to use relating to the child’s development.

More information on this can be found on the county council website and the application can be found there too. <https://www3.northamptonshire.gov.uk/councilservices/children-families-education/SEND/send-information-for-professionals/Pages/high-needs-funding.aspx>

**Early Help Assessment (EHA)**  
We have procedures in place to implement the EHA. In the event areas of need are highlighted, the Appointed Child Protection Officer and the Lead SENCO identify whether the nursery can support the family by putting additional services into place or whether the needs fall outside of tier one. In this instance an assessment tool is used to understand the tier of need as detailed below. If during the assessment process the child is believed to be in significant harm then the **Safeguarding Policy/ Procedure** should be followed immediately.

To begin with, we will need to identify if the child or young person needs extra support.

An EHA might be needed when:

* there is a significant change or worrying feature in a child’s appearance, demeanour or behaviour
* a significant event in a child’s life has occurred, or where there are worries about the parents, carers or home
* the parent or someone in the wider family or social network is experiencing issues (for example substance abuse/misuse, violence or physical or mental health problems, crime) that might impact on the child
* a child is regularly missing medical appointments, immunisations etc
* the child is experiencing other disadvantages for reasons such as race, gender, sexuality, religious belief or disability.

a child or family are coming out of social care

An EHA form can be submitted online, however before this is done we should talk to the child and their family about the EHA. They need to understand and feel comfortable with it and know that its purpose is to help them. We need to get signed consent from the family before you start the assessment. We should hold onto this signed consent in case you need to evidence it later in the process.

Key points to remember about your discussion are:

* **Working together** - We are working with the child or young person and their family to find solutions. Often they will know better than you
* **Listening to the child or young person** - An assessment should never be done without talking to them
* **Voluntary** – If the child, young person or family member doesn’t want to take part, we can’t force them
* **Focussed on the positives** - This is a chance to talk about what a family does well, not just their challenges.
* **Leads to a plan** - An assessment should lead to an action plan that helps a child, young person or family
* **Transparent** - The child, young person or family should know what is happening at every point and have given their consent

If at any point we are concerned about the safety or welfare of the child or young person, [seek immediate advice](http://www3.northamptonshire.gov.uk/councilservices/children-families-education/help-and-protection-for-children/protecting-children-information-for-professionals/Pages/contact-early-help-support-MASH.aspx) at the end of the discussion.

We should always get consent from the child's parent or carer before starting an EHA.

**Start an Early Help Assessment**

If we have received signed consent and are happy that an EHA is the best course of action. Now an EHA can be submitted.

The EHA might identify needs which we cannot meet on our own. In this case we will need other professionals or services to help. If we know who to involve, arrange a team around the family (TAF) meeting. If we need help or advice on who to involve, we can contact the [Early Help Support Service](http://www3.northamptonshire.gov.uk/councilservices/children-families-education/help-and-protection-for-children/protecting-children-information-for-professionals/Pages/contact-early-help-support-MASH.aspx).

**Team around the family (TAF) meeting**

The TAF meeting brings together a range of different professionals to support the family following the EHA. The purpose is to bring people with specialist knowledge together to work out how best to support the family. The family and child or young person should attend and it is important to engage with them throughout the process. Remember this is a voluntary process.

We now develop a plan of action for the family. The action plan should describe what the family and the professionals in their lives are going to do to get things back on track. It should clearly identify what is being done to help. It is important the child or young person helps write the action plan and knows what is happening. There are several tools you can use to produce a ‘child friendly’ action plan, including the My life, my way toolkit.

An EHA must be reviewed at least every 6 weeks. When a plan is reviewed there are f our possible put comes

|  |  |
| --- | --- |
| **Situation at review** | **Outcome** |
| Needs have been met | Close plan and EHA |
| Needs not yet met | Continue with plan |
| Current plan not meetings needs | Re-assess and make new plan |
| New needs have emerged | Re-assess and make new plan |

To officially close an EHA a closure form must be completed. All guidance and forms for a EHA can be found on the Northamptonshire County Council Website.

# **Procedure for Resolving Complaints**

The Clarecroft complaints policy should be followed if a parent wishes to make a formal complaint. The nursery has an open door policy and parents are welcome to discuss any issues with the SENCO or Nursery manager;

SN-IP (Parents Partnership Service, Special needs involving Parents & Carers) - can be contacted as an intermediary body for advice: 01604 636 111

**Procedure for child moving to a new setting/school**

A report will be formed detailing all the child’s needs and requirements. For children aged 3 years and above the Northamptonshire transition document will also accompany the report. The child’s parents will be asked to read the documents, add their own comments and sign to give permission for the document to be given to the child’s new setting. The child’s new key person will be invited to spend time at our setting talking to the staff and getting to know the child.

**The Lead SENDCO is Claire Smith**