Special Educational Needs and Disabilities (SEND)

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| EYFS: 1.1 – 1.17, 2.1 – 2.6, 2.9-2.14, 3.1 – 3.8, 3.45-3.47, 3.53 – 3.54, 3.65, 3.68, 3.69, 3.80. |

This policy has been created with regard to:

* The SEND Code of Practice 2015
* Children and Families Act 2014 (Part 3)
* Equality Act 2010
* Working Together to Safeguard Children (2018)
* Statutory Framework for the EYFS (2021)

**Special Educational Needs and Disability (SEND) code of practice**.

The nursery has regard to the statutory guidance set out in the Special Educational Needs and Disability code of practice (DfE 2015) to identify, assess and make provision for children’s special educational needs.

At Earlybirds Day Nurserywe use the SEND Code of Practice (2015) definition of Special Educational Needs and Disability:

*A child or young person has SEN if they have a learning difficulty or disability which calls for special educational provision to be made for him or her.*

*A child of compulsory school age or a young person has a learning difficulty or disability if he or she:*

* *has a significantly greater difficulty in learning than the majority of others of the same age, or*
* *has a disability which prevents or hinders him or her from making use of facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions.*

Statement of intent

We are committed to the inclusion of all children at our nursery. We ensure all children are cared for and educated to develop to their full potential alongside their peers through positive experiences We enable them to share opportunities and experiences and develop and learn from each other. 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 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 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 EYFS

We will work closely with the child’s parents and any relevant professionals 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

Our nursery Special Education Needs and Disabilities Co-ordinator (SENCO) is

**Jodie Kitson Lead**

**Sian Jones Deputy**

The role of the SENCO in our setting includes:

* ensuring all practitioners in the setting understand their responsibilities to children with SEND and the setting’s approach to identifying and meeting SEND
* 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
* taking the lead in implementing the graduated approach and supporting colleagues through each stage of the process.

We will:

* Designate a named member of staff to be the SENCO and share their name and role with all staff and parents
* Have high aspirations for all children and support them to achieve their full potential
* Develop respectful partnerships with parents and families
* Ensure parents are involved at all stages of the assessment, planning, provision and review of their child's care and education and include the thoughts and feelings voiced by the child, where possible/appropriate
* Signpost parents and families to our Local Offer in order to access local support and services
* Undertake formal Progress Checks and Assessments of all children in accordance with the SEND Code of Practice January (2015) / statutory framework for the EYFS (2021)
* Provide a statement showing how we provide for children with special educational needs and/or disabilities and share this with staff, parents and other professionals
* Ensure that the provision for children with SEN and/or disabilities is the responsibility of all members of staff in the nursery through training and professional discussions
* Set out in our inclusive admissions practice on how we meet equality of access and opportunity
* 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
* Liaise with other professionals involved with children with special educational needs and/or disabilities and their families, including transition arrangements to other settings and schools. (See our transitions policy).
* Use the graduated response system to assess, plan, do and review to ensure early identification of any SEND
* Ensure that children with special educational needs and/or disabilities and their parents are consulted at all stages of the graduated response, taking into account their levels of ability
* Review children’s progress and support plans 6 weeks and work with parents to agree on further support plans
* Provide privacy of children with special educational needs and/or disabilities when intimate care is being provided
* 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. additional support reviews, Education, Health and Care (EHC) plans, 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 and procedures annually.

**Effective assessment of the need for early help**

We are aware of the process for early help and follow the following procedure:

Local agencies should work together to put processes in place for the effective assessment of the needs of individual children who may benefit from early help services. Children and families may need support from a wide range of local agencies. Where a child and family would benefit from coordinated support from more than one agency (e.g. education, health, housing, police) there should be an inter-agency assessment. These early help assessments should identify what help the child and family require to prevent needs escalating to a point where intervention would be needed via a statutory assessment under the Children Act 1989.

The early help assessment should be undertaken by a lead professional who should provide support to the child and family, act as an advocate on their behalf and coordinate the delivery of support services. The lead professional role could be undertaken by a General Practitioner (GP), family support worker, teacher, health visitor and/or special educational needs coordinator. Decisions about who should be the lead professional should be taken on a case by case basis and should be informed by the child and their family.

For an early help assessment to be effective:

* The assessment should be undertaken with the agreement of the child and their parents or carers. It should involve the child and family as well as all the professionals who are working with them;
* A teacher, GP, health visitor, early years’ worker or other professional should be able to discuss concerns they may have about a child and family with a social worker in the local authority. Local authority children’s social care should set out the process for how this will happen; and
* If parents and/or the child do not consent to an early help assessment, then the lead professional should make a judgement as to whether, without help, the needs of the child will escalate. If so, a referral into local authority children’s social care may be necessary.

If at any time it is considered that the child may be a child in need as defined in the Children Act 1989, or that the child has suffered significant harm, or is likely to do so, a referral should be made immediately to local authority children’s social care. This referral can be made by any professional (*Working together to safeguard children 2018).*

Graduated Approach

We follow the SEND Code of Practice (2015) recommendation that, in addition to the formal checks above, we adopt a graduated approach to assessment and planning, led and coordinated by a SENCO. Good practice of working together with parents, and the observation and monitoring of children’s individual progress, will help identify any child with special educational needs or disability. This graduated approach will be led and coordinated by our SENCO and appropriate records will be kept according to the Code of Practice.

**Assess**

In identifying a child as needing SEND support, the key person, working with the SENCO and the child’s parents, will carry out an analysis of the child’s needs. This initial assessment will be reviewed regularly to ensure that support is matched to need. Where there is little or no improvement in the child’s progress, more specialist assessment may be called for from specialist teachers or from health, social services or other agencies beyond the setting. Where professionals are not already working with the setting, the SENCO will contact them, with the parents’ agreement.

**Plan**

Where it is decided to provide SEND support, and having formally notified the parents, the key person and the SENCO, in consultation with the parents, will agree the outcomes they are seeking, the interventions and support to be put in place, the expected impact on progress, development or behaviour, and a clear date for review. Plans will take into account the views of the child.

The support and intervention provided will be selected to meet the outcomes identified for the child, based on reliable evidence of effectiveness, and provided by practitioners with relevant skills and knowledge. Any related staff development needs are identified and addressed. Parents will be involved in planning support and, where appropriate, in reinforcing the provision or contributing to progress at home.

**Do**

The child’s key person will be responsible for working with the child on a daily basis. With support from the SENCO, they will oversee the implementation of the intervention agreed as part of SEN support. The SENCO will support the key person in assessing the child’s response to the action taken, in problem solving and advising on the effective implementation of support.

**Review**

The effectiveness of the support and its impact on the child’s progress will be reviewed in line with the agreed date. The impact and quality of the support will be evaluated by the key person and the SENCO in full consultation with the child’s parents and taking into account the child’s views. Information will be shared with parents about the impact of the support provided.

**Education and Health Plan (EHC)**

Some children and young people may require an EHC needs assessment in order to decide whether it is necessary to develop an EHC plan. The purpose of an EHC plan is to make adjustments and offer support to meet the special educational needs of the child, to secure the best possible outcomes for them across education, health and social care.

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
* 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.

We will then work with the local authority and other agencies to ensure that the child receives the support they need to gain the best outcomes.

We will review this policy annually to ensure it continues to meet the needs of the children/parents and our nursery.

Inclusion and Equality

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| EYFS:1.1 – 1.17, 2.4, 2.5, 2.6, 3.1 - 3.68, 3.80. |

*Inclusion is a process of identifying, understanding and breaking down barriers to participation and belonging. Inclusive early years practice is about anticipating, paying attention, responding to and reflecting on the needs and interests of all children. A commitment to inclusion should permeate all aspects of the design of educational programmes and the structuring of environments, as well as shaping every interaction with children, parents and other professionals (Birth to 5 Matters, 2021).*

Statement of intent

At Earlybirds Day Nurserywe take great care to treat each individual as a person in their own right, with equal rights and responsibilities to any other individual, whether they are an adult or a child. We are committed to providing equality of opportunity and anti-discriminatory practice for all staff, children and families according to their individual needs. Discrimination on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation has no place within our nursery.

A commitment to implementing our inclusion and equality policy is part of each employee’s job description. Should anyone believe that this policy is not being upheld, it is their duty to report the matter to the attention of the nursery manager at the earliest opportunity.

Appropriate steps will then be taken to investigate the matter and if such concerns are well-founded, the nursery’s disciplinary policy will be followed.

The legal framework for this policy is based on:

* Special Education Needs and Disabilities Code of Practice 2015
* Children and Families Act 2014
* Equality Act 2010
* Childcare Act 2006
* Children Act 2004
* Care Standards Act 2002
* Special Educational Needs and Disability Act 2001.

The nursery and staff are committed to:

* Recruiting, selecting, training and promoting individuals on the basis of occupational skills requirements. In this respect, the nursery will ensure that no job applicant or employee will receive less favourable treatment because of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation
* Creating a working environment free of bullying, harassment, victimisation and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all staff are recognised and valued
* Providing a childcare place, wherever possible, for children who may have special educational needs and/or disabilities or are deemed disadvantaged according to their individual circumstances
* Making reasonable adjustments for children with special educational needs and disabilities
* Striving to promote equal access to services and projects by taking practical steps (wherever possible and reasonable), such as ensuring access to people with additional needs and by producing materials in relevant languages and media for all children and their families
* Providing a secure environment in which all our families are listened to, children can flourish and all contributions are valued
* Including and valuing the contribution of all families to our understanding of equality, inclusion and diversity
* Providing positive non-stereotypical information
* Continually improving our knowledge and understanding of issues of equality, inclusion and diversity and training all staff about their rights and responsibilities under the inclusion and equality policy.
* Regularly reviewing, monitoring and evaluating the effectiveness of inclusive practices to ensure they promote and value diversity and difference and that the policy is effective and practices are non-discriminatory
* Making inclusion a thread which runs through the entirety of the nursery, for example, by encouraging positive role models through the use of toys, imaginary play and activities, promoting non-stereotypical images and language and challenging all discriminatory behaviour (see dealing with discriminatory behaviour policy).

Admissions/service provision

The nursery is accessible to all children and families in the local community and further afield through a comprehensive and inclusive admissions policy.

The nursery will strive to ensure that all services and projects are accessible and relevant to all groups and individuals in the community within targeted age groups.

Recruitment

Recruitment, promotion and other selection exercises such as redundancy selection will be conducted on the basis of merit, against objective criteria that avoids discrimination. Shortlisting will be done by more than one person, where possible.

All members of the selection group are committed to the inclusive practice set out in this policy and will have received appropriate training in this regard.

Application forms are sent out along with a copy of the equal opportunities monitoring form. Application forms do not include questions that potentially discriminate on the grounds specified in the statement of intent.

Vacancies are generally advertised to a diverse section of the labour market. Advertisements avoid stereotyping or using wording that may discourage particular groups from applying.

At interview, no questions are posed which potentially discriminate on the grounds specified in the statement of intent. All candidates are asked the same questions and members of the selection group will not introduce nor use any personal knowledge of candidates acquired outside the selection process. Candidates are given the opportunity to receive feedback on the reasons why they were not successful.

We may ask questions (Under the Equality Act 2010) prior to offering someone employment in the following circumstances:

* To establish whether the applicant will be able to comply with a requirement to undergo an assessment (i.e. an interview or selection test)
* Too establish whether the applicant will be able to carry out a function that is intrinsic to the work concerned
* To monitor diversity in the range of people applying for work
* To take positive action towards a particular group – for example offering a guaranteed interview scheme
* You require someone with a particular disability because of an occupational requirement for the job.

The national College for Teaching and Leadership provides further guidance specific to working with children, which we follow:

*Providers have a responsibility to ensure that practitioners have the health and physical capacity to teach and will not put children and young people at risk of harm. The activities that a practitioner must be able to perform are set out in the Education (Health Standards England) Regulations 2003. Providers are responsible for ensuring that only practitioners who have the capacity to teach remain on the staff team.*

*People with disabilities or chronic illnesses may have the capacity to teach, just as those without disabilities or medical conditions may be unsuitable to teach. Further information on training to teach with a disability is available from the DfE website.*

*Successful applicants offered a position may be asked to complete a fitness questionnaire prior to commencing the programme. Providers should not ask all-encompassing health questions, but should ensure that they only ask targeted and relevant health-related questions, which are necessary to ensure that a person is able to teach.*

Staff

It is our policy not to discriminate in the treatment of individuals. All staff are expected to co-operate with the implementation, monitoring and improvement of this and other policies. They are expected to challenge language, actions, behaviours and attitudes which are oppressive or discriminatory on the grounds specified in this policy and recognise and celebrate other cultures and traditions. All staff are expected to participate in equality and inclusion training.

Staff will follow the ‘Dealing with Discriminatory Behaviour’ policy where applicable to report any discriminatory behaviours observed.

Training

The nursery recognises the importance of training as a key factor in the implementation of an effective inclusion and equality policy. All new staff receive induction training including specific reference to the inclusion and equality policy. The nursery strives towards the provision of inclusion, equality and diversity training for all staff on a annualbasis.

Early learning framework

We follow the Early Years Foundation Stage and ensure that all learning opportunities offered in the nursery encourage children to develop positive attitudes to people who are different from them. Our curriculum encourages children to empathise with others and to begin to develop the skills of critical thinking.

We do this by:

* Identifying a key person to each child who will ensure that each child’s care is tailored to meet their individual needs and continuously observe, assess and plan for their learning and development
* Listening to children (verbally and non-verbally) and making children feel included, valued and good about themselves
* Ensuring that we know what each child knows and “can do” and have equal access to tailored early learning and play opportunities
* Reflecting the widest possible range of communities in the choice of resources
* Avoiding stereotypical or derogatory images in the selection of materials
* Acknowledging and celebrating a wide range of religions, beliefs and festivals
* Creating an environment of mutual respect
* Supporting children to talk about their feelings and those of others, manage emotions and develop empathy
* Helping children to understand that discriminatory behaviour and remarks are unacceptable
* Knowing children well, being able to meet their needs and know when they require further support
* Ensuring that all early learning opportunities offered are inclusive of children with special educational needs and/or disabilities and children from disadvantaged backgrounds
* Ensuring that children whose first language is not English have full access to our early learning opportunities and are supported in their learning
* Working in partnership with all families to ensure they understand the policy and challenge any discriminatory comments made
* Ensuring the medical, cultural and dietary needs of all children are met and help
* children to learn about a range of food and cultural approaches to meal times and to respect the differences among them.

Parent information and meetings

Information about the nursery, its activities, experiences, resources are shared with parents as well as information about their child’s development. This is given in a variety of ways according to individual needs (written, verbal and translated), to ensure that all parents can access the information they need.