



# Model policy

## Make this policy your own!

1. Insert your school name and logo where indicated on the next page
2. Read through the document and make changes as instructed in [...] or *orange*. Delete the instructions as you go. **Note:** *you don't need to edit the contents list directly (see step 4)*
3. When you have finalised your document, make a note of step 4 below and then delete this cover page. (Right-click on the teal border above this text and select 'Cut')
4. Refresh the contents list so that the page numbers are correct. (Right-click anywhere on the contents list, click on 'Update field', then select 'Update entire table' and 'OK')
5. Save the document as normal

## Important:

All our policies take account of relevant requirements and good practice but are designed for you to adapt to suit your context.

**Academies, including free schools:** please ensure, where applicable, that your adapted policy meets any relevant conditions in your funding agreement/articles of association, as these can vary.

To keep things simple we use the term **'school'**\* as standard to mean the educational establishment that is adopting this policy.

Similarly, we use **'governing board'** and **'governor'**\* to mean the accountable body for the school and the representatives on that body.

You are welcome to change these references to suit your context. In all cases you should ensure that roles and responsibilities meet requirements.

*\*Except in policies that apply only to academies, for example, or when explaining requirements for specific school types*

Approved by **forbessolicitors.**

### Complete policy support from The Key:

- ✓ Expert guidance on writing and reviewing policies
- ✓ Model policies
- ✓ Policy checklists
- ✓ Real-life examples from schools, LAs, MATs and others

#### School leaders:

[www.thekeysupport.com/sl-policybank](http://www.thekeysupport.com/sl-policybank)

#### Governors:

[www.thekeysupport.com/gov-policybank](http://www.thekeysupport.com/gov-policybank)

### Compliance Tracker from The Key

Manage your policies with ease at

[www.thekeysupport.com/compliance](http://www.thekeysupport.com/compliance)

**Compliance Tracker** also covers requirements in safeguarding, school websites, financial management and more – taking the strain out of keeping your school compliant.

# SEN Policy and Information report

## Holton le Clay Schools Federation



**Approved by:** Holton le Clay Schools Governing Body **Date:** 12<sup>th</sup> November 2018

**Last reviewed on:** October 2017

**Next review due by:** October 2019

## Contents

1. Aims .....	3
2. Legislation and guidance .....	4
3. Definitions .....	5
4. Roles and responsibilities.....	5
5. SEN information report .....	7
6. Monitoring arrangements .....	9
7. Complaints procedure.....	14
8. Links with other policies and documents.....	18

## INTRODUCTION

The whole team at Holton le Clay Federation of Schools is committed to helping children to flourish in a secure, caring happy and exciting environment, in order to support the needs and develop the learning of children and families of our community. Every child in our schools is valued and diversity is celebrated.

We are committed to the academic, physical, creative spiritual and social development of the children. We provide a range of different experiences, which will provide enjoyment, prove challenging and enable all pupils to reach their full potential.

Our schools is staffed by a team of qualified teachers and teaching assistants, who provide a positive ethos to enable the children to develop life-long learning aspirations and life skills, through a range of activities and approaches. We encourage the development of achievement, through positive attitude.

### 1. Aims and Vision

Our SEN policy and information report aims to:

- Set out how our school will support and make provision for pupils with special educational needs (SEN)
- Explain the roles and responsibilities of everyone involved in providing for pupils with SEN

### Our Vision

**‘We aim to understand the World and each other.’**

- Pupils will have the highest quality teaching and learning through a creative and relevant curriculum that is accessible to all.
- Pupils will have high standards of literacy and numeracy achieved within a stimulating and imaginative curriculum.
- All children will achieve the highest possible standards and make good progress in all areas of the curriculum
- The school environments are dedicated to promoting high standards of achievement and enjoyment of learning.
- As a foundation for life- long learning, all pupils will develop the personal, emotional, social, moral and spiritual qualities that are required to become a responsible citizen
- Each child will have a lively enquiring mind with the ability to question and discuss whilst becoming an increasingly independent learner.

- All pupils are confident and competent in technical and technological skills in order to be flexible and adaptable within a modern world.
- Our learning culture will encompass, embrace and respect diversity within both school communities and the wider world

Our school adopts a whole school approach to Special Educational Needs. All staff work to ensure the inclusion of all pupils. Our schools are committed to ensuring that all pupils with Special Educational Needs can fulfil their potential and achieve optimal educational outcomes.

### **Our Inclusion Statement**

All our policies and procedures confirm our belief that everyone - staff, pupils and families - will be treated equally, regardless of gender, culture, belief, abilities etc.

We fully comply with any legislation.

Full policies are available on request.

### **Aims and Objectives of this policy**

To maximise the achievement and to bring out the best in every child, enabling each one to reach his or her potential.

To be inclusive schools where all children can fully participate in all aspects of school life.

To include the views of the child in establishing targets, monitoring and reviewing Pupil Profiles.

To develop self-esteem in all children.

To ensure early identification of any pupil requiring SEND provision.

To meet individual needs through a wide range of provision.

To ensure that pupils, parents and carers are able to participate with high levels of satisfaction.

To share a common understanding and vision with parents/carers and other agencies

To provide curriculum access for all, using meaningful and effective teaching styles to support different learning styles.

To work with outside agencies and schools towards inclusion.

To develop the expertise of staff and their knowledge of available resources, to meet the needs of the children.

We recognise that many children will have Special Educational Needs at some time during their life at school. This may be for a short time or for a lifetime. In implementing this policy we are firm in the belief that pupils will be helped to overcome those difficulties

## **2. Legislation and guidance**

This policy and information report is based on the statutory [Special Educational Needs and Disability \(SEND\) Code of Practice](#) and the following legislation:

- [Part 3 of the Children and Families Act 2014](#), which sets out schools' responsibilities for pupils with SEN and disabilities
- [The Special Educational Needs and Disability Regulations 2014](#), which set out schools' responsibilities for education, health and care (EHC) plans, SEN co-ordinators (SENCOs) and the SEN information report

### 3. Definitions

A pupil has SEN if they have a learning difficulty or disability which calls for special educational provision to be made for them.

They have a learning difficulty or disability if they have:

- A significantly greater difficulty in learning than the majority of others of the same age, or
- A disability which prevents or hinders them from making use of facilities of a kind generally provided for others of the same age in mainstream schools

Special educational provision is educational or training provision that is additional to, or different from, that made generally for other children or young people of the same age by mainstream schools.

### 4. Roles and responsibilities

#### Management of SEND within the school.

Provision for pupils with SEND is a whole school responsibility.

The governing body has delegated the responsibility for the day to day running of the policy to the two SENCOs. All staff have a responsibility for pupils with SEND in their class, to ensure Quality First Teaching, with differentiation and personalisation to meet their needs.

Staff are aware of their responsibilities to the children in their classes, whether or not they have an Education, Health and Care plan, (EHCP), Personal Learning Plan, or not. All adults in school display a positive and sensitive attitude to all children. Staff responsibilities are outlined in their job descriptions.

Teaching assistants play a major role in the support of children with SEND. The rationale for the deployment of TAs is pupil centred, meeting needs as they arise.

#### The SENCO

The SENCO's are Mrs A Ardern - Holton le Clay Infant School 01472 822065

Mrs L Jones – Holton le Clay Junior School 01472 826432

They will:

- Work with the headteacher and SEN governor to determine the strategic development of the SEN policy and provision in the school
- Have day-to-day responsibility for the operation of this SEN policy and the co-ordination of specific provision made to support individual pupils with SEN, including those who have EHC plans
- Provide professional guidance to colleagues and work with staff, parents, and other agencies to ensure that pupils with SEN receive appropriate support and high quality teaching
- Advise on the graduated approach to providing SEN support
- Advise on the deployment of the school's delegated budget and other resources to meet pupils' needs effectively
- Be the point of contact for external agencies, especially the local authority and its support services

- Liaise with potential next providers of education to ensure pupils and their parents are informed about options and a smooth transition is planned
- Work with the headteacher and governing board to ensure that the school meets its responsibilities under the Equality Act 2010 with regard to reasonable adjustments and access arrangements
- Ensure the school keeps the records of all pupils with SEN up to date

### **The SEN Governor**

The Governors for SEND are: Mrs. A. Morgan at the Infant School

Mrs. S. Whatley at the Junior School

The SEN Governors will:

- Help to raise awareness of SEN issues at governing board meetings
- Monitor the quality and effectiveness of SEN and disability provision within the federation and update the governing board on this
- Work with the headteacher and SENCO to determine the strategic development of the SEN policy and provision in the school

### **The headteacher**

The headteacher will:

- Work with the SENCO and SEN governor to determine the strategic development of the SEN policy and provision in the school
- Have overall responsibility for the provision and progress of learners with SEN and/or a disability

### **Class teachers**

Class teachers are responsible for

- Providing high quality teaching for all children.
- Assessing pupil's needs and planning appropriate adjustments, interventions and support for the pupil.
- Regularly reviewing the impact of the adjustments, interventions and support.
- Ensuring that the SENCO is alerted to any initial concerns through CPOMS by completing and initial concerns sheet to the request.
- Providing an appropriately differentiated curriculum.
- Retaining the responsibility for the child.
- Being aware of the school's SEND policy.
- Direct liaison of parents of children with SEND.

### **Teaching Assistants**

TAs will:

- Be familiar with the School's SEND policy and the procedures involved.
- Monitor progress and feedback to class teachers about the progress of the pupils.
- Work as part of a team with the SENCO and class teachers, supporting individual needs and ensuring inclusion of pupils with SEND within the class.

## **5. SEN information report**

### **The kinds of SEN that are provided for**

Our school currently provides additional and/or different provision for a range of needs, including:

- Communication and interaction, for example, autistic spectrum disorder, Asperger's Syndrome, speech and language difficulties
- Cognition and learning, for example, dyslexia, dyspraxia,
- Social, emotional and mental health difficulties, for example, attention deficit hyperactivity disorder (ADHD),
- Sensory and/or physical needs, for example, visual impairments, hearing impairments, processing difficulties, epilepsy
- Moderate and multiple learning difficulties

### **Identifying pupils with SEN and assessing their needs**

We believe that pupils' needs should be identified and met as early as possible. There are 4 areas of need as stated in the SEND Code of Practice – 2014.

- Communication and Interaction.
- Cognition and Learning.
- Social Emotional and Mental health difficulties.
- Sensory and physical needs

A child may have needs in one or more of these broad areas. Whilst these 4 areas identify the primary need of a pupil, we also consider the needs of the whole child which may affect/impact upon the child's progress.

- Disability
- Attendance and punctuality.
- Health and Welfare.
- EAL – English as an additional language.
- A child in receipt of Pupil Premium.
- A Looked after child. (LAC).
- A child of service people.

The SENCO works with the designated Senior Leadership Team in using whole school tracking data as an early identification indicator.

Other indicators of SEN might include:

- Analysis of data – such as entry profiles at FS, end of FS data, reading tests, spelling tests, SATS, termly teacher assessments.
- Concerns of teachers/TAs.
- Concerns of parents/carers.
- Tracking pupil progress over time.

- Information from previous schools on transfer.
- Information from other services

We will assess each pupil's current skills and levels of attainment on entry, which will build on previous settings and Key Stages, where appropriate. Class teachers will make regular assessments of progress for all pupils and identify those whose progress:

- Is significantly slower than that of their peers starting from the same baseline
- Fails to match or better the child's previous rate of progress
- Fails to close the attainment gap between the child and their peers
- Widens the attainment gap

This may include progress in areas other than attainment, for example, social needs.

Slow progress and low attainment will not automatically mean a pupil is recorded as having SEN.

When deciding whether special educational provision is required, we will start with the desired outcomes, including the expected progress and attainment, and the views and the wishes of the pupil and their parents. We will use this to determine the support that is needed and whether we can provide it by adapting our core offer, or whether something different or additional is needed.

### **Consulting and involving pupils and parents**

We will have an early discussion with the pupil and their parents when identifying whether they need special educational provision. These conversations will make sure that:

- Everyone develops a good understanding of the pupil's areas of strength and difficulty
- We take into account the parents' concerns
- Everyone understands the agreed outcomes sought for the child
- Everyone is clear on what the next steps are
- We aim to make parents and carers feel welcome and that they can approach school staff in order to discuss SEND issues. We encourage parents and carers to discuss issues which may need addressing.

Notes of these early discussions will be added to the pupil's record and given to their parents.

We will notify parents when it is decided that a pupil will receive SEN support.

We recognise that all pupils have the right to be involved in making decisions and exercising choice (SEND Code of Practice 2014). Where it is appropriate, pupils are involved in monitoring and making decisions. In our Federation, we have termly discussions with all children.

We encourage children to:

- State their views about their own education and learning.
- Identify their own needs.
- Share in deciding targets to improve their performance across the curriculum.
- Self-review and set new targets.



## **6. Monitoring Arrangements**

This policy and information report will be reviewed by our SENCOs every year. It will also be updated if any changes to the information are made during the year.

It will be approved by the governing board.

### **Assessing and reviewing pupils' progress towards outcomes**

We will follow the graduated approach and the four-part cycle of **assess, plan, do, review**.

The class or subject teacher will work with the SENCO to carry out a clear analysis of the pupil's needs. This will draw on:

- The teacher's assessment and experience of the pupil
- Their previous progress and attainment and behaviour
- Other teachers' assessments, where relevant
- The individual's development in comparison to their peers and national data
- The views and experience of parents
- The pupil's own views
- Advice from external support services, if relevant

The assessment will be reviewed regularly.

All teachers and support staff who work with the pupil will be made aware of their needs, the outcomes sought, the support provided, and any teaching strategies or approaches that are required. We will regularly review the effectiveness of the support and interventions and their impact on the pupil's progress.

### **Personal Learning Plans**

All pupils on our SEND support list will have a Graduated Approach sheet (at Wave 2 or 3), which is also known as The Personalised Learning Plan (PLP) This contains the plan of action and shows provision 'additional to and different from' the usual classroom provision.

For pupils with an EHCP, the recommendations on the plan will be met.

Curriculum targets and Learning Talk targets are used to inform the PLP

The PLP will show the current level of assessment, the action to be taken, a review of the procedure and the next steps, review date. The views of the parents will also be taken into consideration and may form part of the next PLP

The Personal Learning Plan will ONLY record that which is 'different from or additional to' the normal differentiated curriculum. It will concentrate on no more than 3 targets that closely match the needs of the child.

### **Reviewing a PLP**

The PLP will be reviewed termly, with the class teacher, supported by the SENCO if required. The class teacher will then discuss the Personal Learning Plan with the parents of the child and the Personal Learning Plan will be discussed with the child as appropriate to their age and stage of learning. The views of all will be taken into consideration when forming the next target.

### **Code of Practice Graduated Response**

The school adopts the levels of intervention as described in the SEN Code of Practice. A Graduated Response is in use.

- In the first instance, the class teacher or parent will raise concerns with the SENCO.
- The SENCO will assist in the assessment of the child and will advise on support. The class teacher remains responsible for the progress of the child and the planning and delivery of individual/group programmes.
- The intervention will be explained to the parents and their views discussed.
- Outside Agencies may be asked to assess children, they may then provide targets for the child to work on. (Parental permission is always sought before Outside Agencies are involved).
- There are three 3 stages.

Wave 1 is Quality First Teaching, for all children.

Wave 2 is for a child requiring small group intervention.

Wave 3 is targeted support for pupils who are not likely to catch up with their peers.

Children will be placed on the SEND register if, after sustained differentiated teaching and a sustained level of support, a pupil fails to make progress.

- The child may be working on objectives below that of 'Emerging' – one year lower than expected for a pupil of a similar age.
- The child may have continued difficulty developing Literacy or Numeracy skills.
- Emotional problems may impede learning.
- Sensory or physical needs may impede learning or require specialist equipment or support.
- Barriers to learning may be due to inability to communicate or use social skills.

### **The graduated response explained.**

The SEND Code of Practice requires schools to use a 'Graduated Response' to meet the needs of children. This is through an 'Assess, Plan, Do, Review' approach. In our Federated schools, there will be an 'in house' review, to monitor progress and effective implementation of intervention strategies.

**Assess** – The class teacher, working with the SENCO, carries out a clear analysis of the needs of the pupil. This will draw on the teacher's assessment and their experience of the pupil, previous progress and attainment, views and experience of the parent and child. Outside Agencies may also be involved in this process.

**Plan** – Support must be planned and put into place. The SENCO, along with the class teacher will discuss the needs and possible support. Parents must be informed that the child is receiving support and the interventions explained to them, taking into account their views. The implementation and monitoring of this support and the discussions/sharing of information with parents and children are the responsibility of the class teacher.

**Do** – Class teachers remain responsible for working with the child on a daily basis. Where TAs or others support in the delivery of intervention, the class teacher is responsible for the pupil and his/her progress. Class teachers should work closely with TAs and others delivering interventions, monitoring the impact of the support. The SENCO will support the class teacher in further assessments and the effective implementation of support.

**Review** - The effectiveness of the support and the impact of the interventions on the progress of the child, will be reviewed termly. The views of the parent will be sought and written onto the Personal Learning Plan. The support will be revised in light of the progress and development of the pupil, in consultation with the parent and pupil.

## **Request for Statutory Assessment (EHCA)**

The schools will request a Statutory Assessment from Lincolnshire County Council Local Authority if a pupil is a serious cause for concern. (N.B. Parents and members of the Health Authorities are also able to complete the appropriate documents to, independently from school, to request a Statutory Assessment). This may be after a programme of sustained intervention for academic, serious behavioural issues, health issues or emotional issues. A Statutory assessment can also be requested by a parent or an Outside Agency.

The following information will be available in school:

- Personal Learning Plans – containing Action Plan, showing regular reviews and containing the views of the parent.
- Any medical history known to the school.
- An assessment of their progress and attainment.
- Information from outside Agencies.
- Welfare reports – Social Services/Educational Welfare.
- SENCO from the next school if this is a Key Stage Transition.

## **Education and Health Care Plans.**

An EHCP may be issued after a Statutory Assessment, where the Local Authority considers that a pupil requires provision beyond what the school can provide. A request for a Statutory Assessment does not inevitably lead to an EHCP.

EHC plans include detailed Learning Objectives for a child. Targets for the child are:

- Matched to Short and Long Term Objectives set out in the EHCP.
- Established through discussion with parents/carers.
- Written onto the Personal Learning Plan (PLP).
- Implemented in the classroom.
- Delivered by the Class teacher/TAs - providing additional support as necessary.

## **Review of an EHCP.**

- Must be reviewed annually.
- The Local Authority will inform the Head teacher, at the beginning of the school term, which children require reviews.
- The SENCO will organise the Review Meeting and invite – parents, class teacher, a representative of the SEND inclusion team, the educational Psychologist, anyone else that the SENCO or parent deems to be appropriate. If appropriate, the child will be invited to all, or some, of the meeting.

Aim of the review.

- An assessment of the progress of the pupil's progress against the objectives of the EHCP.
- Review of the provision made to meet the needs of the pupil – as identified in the plan.
- Consider the existing EHCP in relation to the performance of the pupil over the year and decide if it should cease, be amended or continue.
- New targets may also be set.
- Introduction for parents to new SENCO – if this is a Key stage transition.

### **Supporting pupils moving between phases**

We will share information with the school, or other setting the pupil is moving to. We will agree with parents and pupils which information will be shared as part of this.

Transition is an important time for children, especially those with SEN. We aim to liaise with the previous and next, teacher, school or setting to gather an holistic view of the child and their family needs.

Our transition may include:

- Liaising with former provisions and their staff or keyworkers
- Allowing time for children to meet their prospective teacher
- Days where children will be able to visit their new setting
- Transition booklets
- Discussions with the child/ren and their family

### **Our approach to teaching pupils with SEN**

Teachers are responsible and accountable for the progress and development of all the pupils in their class.

High quality teaching is our first step in responding to pupils who have SEN. This will be differentiated for individual pupils.

We will also provide the following interventions:

- Lego Therapy
- Nurture time
- Talk time
- Precision Teaching
- Sports coaching and mentoring
- Intensive phonics groups

### **Adaptations to the curriculum and learning environment**

Teachers differentiate work to meet the learning needs of all pupils. Where pupils are identified as having SEN, the pupil's needs are met in a variety of ways, the provision being related specifically to their needs. A provision map records the intervention.

The range of provision may include:

- In class for small groups, with a teacher or TA.
- Small group withdrawal, with a teacher, TA or volunteer adult.
- Individual class support/individually withdrawn.
- Very detailed differentiation.
- Interventions
- Provision of specialist equipment or learning materials.
- Devising and implementing interventions, monitoring effectiveness.
- Training for staff to develop existing strategies or develop new ones.
- Access to specialist teachers (STAPs), the Educational Psychology Service (EP), the Working Together Team (WTT), Speech and Language Service (SALT), and other outside agencies for advice on strategies, equipment and staff training.

### **Additional support for learning**

Teaching assistants will support pupils on a 1:1 basis when children are in need of some additional support with their learning. They will also be offered time with a trusted adult to help children work through their social, emotional and behavioral needs.

Teaching assistants will support pupils in small groups when children need additional support and these are all focused in one area of learning. Small group work is also carried out to encourage children develop their personal and social skills.

We work with the following agencies to provide support for pupils with SEN:

- Our Federation has links with:
- Children's Services.
- Community Health Services.
- Family Support and Safeguarding.
- Liaise, formerly Parent Partnership
- Working Together Team
- Educational Psychology Team
- Jolly Bee Counselling Service
- CAHMS

### **Record Keeping**

The school records the steps taken to meet the individual needs of the pupil, these are kept by the class teacher. Information is also kept on CPOMS, as a central place where teachers and SENCO can access current paperwork. Some children may have a Pupil Passport, which is written by and kept by the class teacher. The SENCO maintains the records and ensures access to them. Records for individual children might include:

- Information from parents.
- Information on progress and behaviour.
- Discussion notes.
- Information from Outside Agencies.
- Copies of assessments

### **Expertise and training of staff**

Our SENCOs have worked in a variety of provisions, working with children of differing needs both as support assistants to children with SEN and in the role as a class teacher. They have shadowed qualified SENCOs and assisted them in their work. **Both SENCOs are currently working towards the national SEN qualification.**

They are allocated 3 hours a week to manage SEN provision.

Staff undertake training courses for their professional development. The Head teacher's report to the Governing body, each term, contains the details of all training

## **Securing equipment and facilities**

- SEN School Improvement Plan submitted annually
- The provision of funding for SEND is through the main revenue budget for school. Funds are deployed to implement the SEND policy.

The schools have the following special facilities:

- Wheelchair access – ramps at KS2.
- Disabled toilet/washroom.
- Classrooms/corridors are carpeted – except for practical areas.
- Individual adaptations will be made for specific pupils –e.g. work stations/specialised seating/fitting grab bars in toilet areas

## **Evaluating the effectiveness of SEN provision**

Progress is monitored, for all pupils at termly Pupil Progress Meetings. Pupils failing to make adequate progress are highlighted and steps are taken to improve the progress. Children on the SEND support list are further reviewed at SEN review meetings, held termly

We evaluate the effectiveness of provision for pupils with SEN by:

- Reviewing pupils' individual progress towards their goals each term
- Reviewing the impact of interventions after each term
- Monitoring by the SENCO
- Using provision maps to measure progress
- Holding annual reviews for pupils with statements of SEN or EHC plans

## **Enabling pupils with SEN to engage in activities available to those in the school who do not have SEN**

All of our extra-curricular activities and school visits are available to all our pupils, including our after-school clubs.

All pupils of Holton le Clay Junior School are encouraged to go on our residential trip(s) to PGL, Scarborough or similar

All pupils are encouraged to take part in sports day/school plays/special workshops, etc.

No pupil is ever excluded from taking part in these activities because of their SEN or disability.

## **Support for improving emotional and social development.**

We provide support for pupils to improve their emotional and social development in the following ways:

- Pupils with SEN are encouraged to be part of the school council
- Pupils with SEN are also encouraged to participate in nurture groups such as; SEAL, Socially Speaking or nurture groups
- For children who are experiencing sustained periods of social and emotional needs we may suggest involvement of an external agency such as; counselling, play therapy or a referral to CAHMS

We have a zero tolerance approach to bullying.

## **Complaints about SEN provision**

Many children with SEN will have their needs met by schools and local authorities without the need to make a formal complaint. If things do go wrong, though, it is very important that parents are able to use informal and formal complaints procedures to remedy the situation as soon as possible.

There are different avenues you can take when making a complaint; it very much depends on what your complaint is about. It can be confusing, so this document outlines the process of making complaints about a school and looks at some of the most common complaints pathways and procedures.

Your local parent partnership service (PPS) will be able to support and advise you through making a complaint. There is a PPS in every local authority and they provide confidential and impartial information, advice and support to parents and carers of children and young people with SEN.

### **Speak to the school**

The first thing to do if you are unhappy with something at school is to speak to your child's class teacher and/or the school SENCO. There is a SENCO in every school and they are responsible for coordinating provision for children with SEN. If you are still unhappy, you should talk to the headteacher.

If you cannot resolve a problem informally, ask for a copy of the school's complaints procedure. By law, schools must have a procedure for parents to complain (Section 29 of the Education Act, 2002).

### **Complaining to the governing body**

Every school has a governing body. In the case of an academy, this is known as the academy trust. School complaint procedures usually end with complaining to the governing body of the school. A complaint to the governing body should be addressed to the chair of governors (head of academy trust). If the school is a community or voluntary controlled school, (local authority maintained, run by the council) you could also send a copy of your letter to the director in charge of local education services, often called children's services.

Try to include precise details of dates, times, meetings and decisions that may help the governing body understand the substance of your complaint. Explain what harm you or your child has suffered as a result of the school's action or inaction. Say what you would like the governing body to do to put things right.

The governing body is likely to pass your complaint to a panel of governors. They may invite you to a meeting to put your case in more detail. They should follow the rules of natural justice. These say that:

- no member should have a vested interest in the outcome or any involvement in an earlier stage of the procedure
- each side should be given the opportunity to state their case without unreasonable interruption
- written material must have been seen by all parties
- if new issues arise, parties should be given the opportunity to consider and comment on them.

If the governing body does not give you a satisfactory response, you then have a number of options depending on the type of complaint you have. These are detailed below. It is important for all of the routes below that you have followed the school's and, if applicable, the local authority's complaints procedures first or that you are able to justify why you have not.

For more information about school governors, visit:

[www.education.gov.uk/schools/leadership/governance](http://www.education.gov.uk/schools/leadership/governance)

### **Complaining to the local authority**

Local authorities (LAs) no longer have a role in general complaints about a school, although they do still hear curriculum complaints. If you are complaining about LA services (including complaints about assessment) you should do so to the most senior education officer. You must complain to the LA before taking the complaint further.

### **Complaining to the Information Commissioner**

You can complain to the Information Commissioner if you have problems accessing school records, minutes of governors meetings, school policies or other public documents, or if you believe your child's school records have been disclosed unlawfully, are incorrect or out of date.

You should first exhaust the school or LA complaints procedure. There are different timescales for schools to reply to your requests:

- a copy of a child's educational record must be supplied within 15 school days. (The Education [Pupil Information] [England] Regulations, 2005 [SI 1437])
- other personal information must be supplied within 40 days of your written request. (Section 7 of the Data Protection Act, 1998)
- documents such as the school SEN Policy, school accessibility plan or governing body minutes must be provided within 20 working days (excluding school holidays) of your written request under the Freedom of Information Act, 2000.

### **Safeguarding Referrals**

Schools have a duty to safeguard and promote the welfare of their pupils under section 175 of the Education Act 2002. Where members of staff have a concern about the welfare of a child, they have a duty to make a referral to the appropriate organisation, usually Local Authority Children's Social Care Services. It is not for the school to investigate or make a judgment about possible abuse or neglect but they must refer any concerns they may have. As such, complaints about safeguarding referrals made in accordance with a statutory duty will not be considered under this procedure.

### **Time Limits for Raising Complaints**

You should make the school aware of your complaint as soon as possible after the matter or incident has occurred that you wish to complain about. Usually, we would expect you to do this within three months of the incident occurring and if you do not contact the school within that time, we will not usually consider your complaint.

If your complaint relates to a continuing act, then occurrences outside of the three month time limit will usually be considered alongside the more recent occurrence.

If you feel there are exceptional circumstances that have prevented you from meeting the time limit, you can provide an explanation of these circumstances along with your complaint so that Governors can take them into account.

The final decision rests with Governors as to whether your complaint will be considered when it is raised outside of the three month time limit. In addition, where your child is no longer on roll at the school and your complaint is considered exceptionally, it will usually only be possible to have your complaint considered under the final stage of the school's procedure.

### **Unreasonable Complainant Behaviour**

Staff and Governors are keen to ensure that all genuine complaints are dealt with fairly and promptly and in accordance with our agreed procedures. We would again emphasise that most matters can be resolved by discussing issues with our staff at the informal stages of our procedure.



Regrettably, there are times when complainants raise issues with or about staff in ways which are unacceptable. This can cloud the concern at the heart of the complaint, which may result in the delay or hindrance of a resolution. It can also have an adverse effect on pupils, staff and the effective running of the school. Examples of behaviours that we consider to be unacceptable are as follows:

- Refusing to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- Making excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.
- Introducing trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales.
- Making unjustified complaints about staff who are trying to deal with the issues and/or harassing individual staff members in a way which appears intended to cause personal distress rather than to find a resolution;
- Refusing to cooperate with the complaints procedure as set out in this policy; while still wishing their complaint to be resolved;
- Refusing to accept that certain issues are not within the scope of a complaints procedure;
- Changing the basis of the complaint as the consideration proceeds and/or making unjustified complaints about those trying to deal with the complaint;
- Pursuing unreasonable outcomes which are disproportionate to the nature of the matters in hand;
- Persisting in repetitious complaints when these have been previously determined under the school complaints procedure;
- Electronically recording meetings, telephone calls and conversations without the prior knowledge and consent of the other persons involved;

A complainant's behaviour may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:-

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- Publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the numbers of communications with the school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached. In addition, the school expects that any person wishing to raise a concern or complaint will:

- Follow the school complaints procedure.
- Treat all members of the school community with courtesy and respect.
  - Recognise the time constraints that staff operate under and allow them a reasonable amount of time in which to respond / address any issues.

Where a complainant raises a complaint in a manner which the school feels is unreasonable, actions may be taken to remedy this. The actions will be proportionate to the nature of the behaviour and may include:

- An informal approach to inform the person that the behaviour is unacceptable and needs to be modified.
- A formal written communication advising the person that the behaviour is unacceptable and appropriate action may be taken if the behaviour is not modified.
- A tailored communications strategy such as limiting the method and/or frequency of contact with staff / school personnel.
- A refusal to register and process further complaints about the same or similar subject matter where the matter has already been determined, or where complaints are vexatious, or where complaints are personally harassing, or deliberately targeted at one or more members of staff without good cause.
- Setting restrictions on the person's access to the school site.

In respect of the last point, it should be noted that parents/carers and members of the wider community do not have an automatic right to enter school grounds and may be barred from entering the school site with immediate effect following any incident where behaviour has been verbally and/or physically aggressive.

In the event of such behaviour, the school will write to the person concerned to advise that his/her licence to enter the school premises has been temporarily revoked, subject to a review of the decision. The letter will invite the individual to put forward his/her views as to the ban and also advise how he/she can appeal the decision. The decision will then be reviewed and the ban either confirmed or lifted. If the decision is confirmed, the person will be notified in writing and advised how long the ban will be in place.

Any restrictions placed on a person as a result of this policy will be time limited, with a specified date as to when the restrictions will be reviewed and potentially lifted. The period of review will usually be three months; however, for more serious breaches, this may extend to a period of six months.

**Again, we would emphasise that the Headteacher and Governing Body are committed to ensuring a full and fair consideration of all legitimate complaints and we recognise that the majority of parents/carers and members of the wider community will conduct themselves in accordance with this policy. However, we reserve the right to take any necessary actions under this policy in those rare cases where a person does not.**

**(Note: No complaint should be summarily dismissed as vexatious, but should be carefully assessed first. Caution should be exercised before taking any of the actions outlined above and responses must be proportionate. Further advice and support is available from the LA & School Community Liaison Officer.)**

**Contact details of support services for parents of pupils with SEN**

Liaise – 0800 195 1635  
liaise@lincolnshire.gov.uk

**Contact details for raising concerns**

SENCO for the Infant School  
Amber Ardern – 01472 822065

SENCO for the Junior School  
Laura Jones – 01472 826432

Dawne Hunt – Executive Headteacher for the Holton-le-Clay Federation.  
Available at both sites.

## **The local authority local offer**

Our contribution to the local offer can be found at: <http://www.holtonleclayschools.co.uk/key-information/policiesadditional-needs>

Our local authority's local offer is published here: <https://www.lincolnshire.gov.uk/parents/support-and-aspiration/sen-and-d-reforms/the-local-offer/>

## **7. Links with other policies and documents**

All policies can be found at: <http://www.holtonleclayschools.co.uk/key-information/policiesadditional-needs>

This policy links to our policies on:

- Accessibility plan
- Admissions
- Behaviour
- Equality information and objectives
- Supporting pupils with medical conditions
- Bullying