

Adopted:	December 2025
Next review:	December 2026
Approved by:	Governors
Responsibility of:	Headteacher/SENCO
School/LA:	School



**BROUGHAM STREET COMMUNITY NURSERY  
SCHOOL**

**SPECIAL EDUCATIONAL NEEDS AND  
DISABILITY (SEND) AND INCLUSION POLICY**

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**1. Statement of intent**

- 1.1. 'Inclusion is a feeling. It is determined by perception and achieved by understanding. We are committed to and value each and every individual within our Brougham Street Community and beyond.' This definition underpins our Inclusive intention for all.
  
- 1.2. The Equality and Human Rights Commission (EHRC) states that “avoiding discrimination and promoting equality supports the agenda of improving attainment and progression for all children. Good education and skills are crucial for opening up opportunities and increasing the chance of a successful life. In addition, in England, equality and diversity are specified factors that must be taken into account in Ofsted inspections”.

- 1.3. Schools also have wider duties to prevent discrimination, to promote equality and to foster good relations for “an equal society [that] protects and promotes equal, real freedom and substantive opportunity to live in the ways people value and would choose, so that everyone can flourish. An equal society recognises people's different needs, situations and goals and removes the barriers that limit what people can do and can be.” (EHRC, 2014)
- 1.4. With this in mind we must ensure that a culture of tolerance, which embraces diversity, is promoted across the Nursery community, so that all children understand, appreciate and respect difference in the world and its people.
- 1.5. We strive to provide an inclusive, caring and supportive environment in which all children are valued equally and are given opportunities to develop to their potential. All children and young people are entitled to an education that enables them to make progress so that they achieve their best, become confident individuals living fulfilling lives, and make a successful transition into adulthood, whether into employment, further or higher education or training.
- 1.6. Educational inclusion, therefore, is about equal opportunities, which lead to success, for all children, whatever their age, gender or gender identification, relationship preference, ethnicity, first language, Special Education Need and/or Disability, prior attainment, or socio-economic background.

## **2. Legal framework**

- 2.1. This policy sets out our expectations for our Nursery School and staff, including volunteers, who regularly work with our children, parents, local authorities and social care partners. These expectations will ensure we are compliant with both the requirements and the ethos of SEND practice and serve to improve outcomes for all children. This Policy is in line with The Special Educational Needs and Disability Code of Practice: 0-25 years (2014).
- 2.2. Inclusion (and our definition of) does not mean that all children necessarily learn in the same way or together, but that practices are adapted to take account of all children's needs and without discrimination against protected characteristics, or other barriers children may face to accessing education – this is equity in learning.
- 2.3. Here at Brougham Street we ensure that all children, including those with protected characteristics, as defined by the Equality Act 2010, are able to flourish and thrive within our Nursery School community.
- 2.4. The protected characteristics in which anyone must not be discriminated against are: age; disability; gender reassignment; race; religion or belief; sex; sexual orientation.

- 2.5. All children, including those identified as having Special Education Need and Disability (SEND), have the same common entitlement to a broad and balanced curriculum, which is accessible to them. The Code of Practice 2014 (CoP) defines this as; '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.'
- 2.6. We operate in accordance with the law and in line with other Policies as set out in the following:
- Part 3 of the Children and Families Act 2014
  - Equality Act 2010: advice for schools DfE Feb 2013
  - SEND Code of Practice 0 – 25 (September 2014)
  - Schools SEN Information Report Regulations (2014)
  - The National Curriculum in England Key stage 1 and 2 framework document (Sept 2013)
  - Teachers Standards (2012)
  - The Special Educational Needs and Disability regulations 2014
  - The Special Educational Needs (Personal Budgets) regulations 2014
  - The Equality Act 2010
  - Safeguarding and Child Protection Policy
  - Accessibility Plan
  - Admissions Policy
  - Equality and Diversity Policy

### **3. Duties and Responsibilities**

- 3.1. At the heart of educational inclusion is provision which meets the needs of all children. Our Nursery School is committed to providing:

Quality First Teaching (QFT) which meets the needs of all children, and which is appropriately adapted.

Effective systems for tracking and monitoring progress, so that early intervention can address gaps in learning; this includes, but is not exclusive to, monitoring and evaluation through learning walks and work scrutiny, across all children groups

Opportunities to extend and challenge all children, so that they can achieve their potential

Effective lines of communication between home and Nursery School, so that through collaboration, a shared understanding of 'what success looks like' is achieved for each learner and their family

3.2. We have the following:

- An annual School Specific SEND Information Report published on our website
- SEND nominated link governor
- SENDCo

3.3. The Leadership Team are responsible for:

- Making sure that Inclusion is at the centre of our ethos.
- Making sure that the Nursery School adheres to the SEND Policy, Information Report and other statutory requirements.
- To ensure the expectations of our Nursery School are upheld, SLT will undertake a variety of Quality Assurance (QA) activities on a minimum of an annual basis, from which strengths and areas of development are identified to inform best practice and priorities for improvement.
- Our reports are shared with the Local Governing Body, as appropriate, for further discussion and challenge. The SEND Governor receives regular updates from the SENDCo, alongside a comprehensive annual report from the Special Educational Needs and Disabilities Coordinator (SENDCo) in addition to termly updates.

3.4. The local governing body and SEND Link Governor will be responsible for:

- Communicating with children with SEND and their parents when reviewing policies that affect them.
- Ensuring that effective provision is in place for all children with SEND, whether or not they have an Education, Health, Care Plan (EHCP).
- Designating an appropriate member of staff to be the SENDCo.
- Appointing a designated teacher for Looked After Children (LAC), where appropriate.
- Challenging the leadership of the school (including the SENDCo) through informed questioning to ensure the SEND Policy and Information Report is embedded and routine practice within the school.
- Taking necessary steps to ensure that children with protected factors are not discriminated against, harassed or victimised.

Regularly monitoring the Nursery Schools policies and procedures, to review their impact on children with SEND, including on their mental health and well-being.

- Preparing the Accessibility Plan, showing how the Nursery School intends to progressively improve access over time.
- Publishing an annual SEND Information Report on the Nursery School website.
- Cooperating with the LA in drawing up and reviewing the Local Offer in conjunction with the SEND Information Report.
- Appointing an individual link governor to oversee the school's arrangements for SEND and champion those with or potential SEND
- Ensuring there is a Safeguarding link Governor working closely with the SEND link governor.
- Ensuring that the school's Child Protection and Safeguarding Policy addresses additional safeguarding challenges that children with SEND may face.
- Monitoring data with respect to vulnerable groups and SEND
- Undertaking visits to the Nursery School with a focus on Inclusion and SEND
- Ensuring there is appropriate continuing professional development taking place for all staff with regard to SEND and Inclusion.
- Holding the school to account for its use of SEND funding

3.5. The Head Teacher will be responsible for:

- Ensuring that all those who are teaching or working with children with SEND are aware of their needs.

Ensuring that the SENDCo has sufficient time and resources to carry out their functions and responsibilities.

- Assisting the Governors in appointing a designated teacher for LAC, who will work closely with the SENDCo to ensure that the needs of the children are fully understood by relevant school staff.
- Ensuring that procedures and policies for the day-to-day running of the school do not directly or indirectly discriminate against children with SEND.
- Establishing and maintaining a culture of high expectations and including children with SEND in all opportunities available to other children.
- Ensuring that the SENDCo is supported and provided with training, with an emphasis on mental health on an annual basis.

3.5. The SENDCo will:

- Be appropriately qualified and have the skills required to meet statutory duties, this is currently the Masters level NASENCO award to be completed within 3 years of being in post.

And will be responsible for:

- Coordinating all the support and provision for children with or potential SEND including those with EHCPs and monitor the education and progress of these children.
  - Keeping the Nursery School website and external documentation for parents / carers up to date and accessible with regards to SEND and Inclusion.
  - Maintaining a register of children who have been identified with SEND, ensuring that the school keeps the records of all children with SEND up-to-date, in line with the school's Data Protection Policy.
  - Liaising with external agencies regarding the assessment / monitoring of children with or potential SEND e.g. Speech and Language Therapy, Educational Psychology and Looked After Children (LAC) Designated Teacher.
  - Providing specialist support and training for teachers and support staff in the school, including identifying appropriate strategies and interventions to so they can appropriately meet the needs of SEND children. This includes training which reflects the needs of the current school community as indicated by SEND data.
  - Reporting, collaborating and be accountable to the Governors and Head Teacher, to determine the strategic development of the SEND policy and provision in the school and uphold Inclusion practice.
  - Consulting and advising on the deployment of the school's delegated budget and other resources to meet children' needs effectively with the Senior Leadership Team.
  - In collaboration with the Head Teacher, identifying and reviewing any patterns in the identification of SEND within the school and comparing these with national data.
  - Being an active participant in training opportunities to keep abreast of national research and development including that of mental health and well-being.
- Liaising with the potential future providers of education to ensure that children and their parents are informed about the options, and a smooth transition is planned, personalised and supports individual needs.
- Liaising with the parents of children with/potential SEND ensuring that parents/carers are up to date and informed and collaborated with at every stage of the Graduated Approach.

- Being a key point of contact for the Local Authority (LA) and LA support services regarding children with or potential SEND.
- The day-to-day operation and implementation of this policy.

3.6. The DSL will be responsible for:

- Liaising with the Headteacher/DDSL to inform them of any issues, especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations regarding children with SEND.
- Liaising with the relevant staff on matters of safety, safeguarding and welfare, including online and digital safety regarding children with SEND.
- Liaising with the SENDCo where appropriate regarding safeguarding concerns for a child with SEND.
- Promoting supportive engagement with parents and/or carers in safeguarding and promote the welfare of children with SEND, including where families may be facing challenging circumstances.
- Working with the headteacher, taking lead responsibility for promoting educational outcomes by knowing the welfare, safeguarding and child protection issues that children with SEND are experiencing or have experienced, and identifying the impact that these issues might be having on child's attendance, engagement and achievements.
- Recognising the additional risks that children with SEND face online, e.g., from online bullying, grooming and radicalisation, and ensuring they have the capability to support children with SEND to stay safe online.

3.7. Teachers will be responsible for:

- Ensuring that all children have access to Quality First Teaching and that the curriculum is adapted to meet the child's individual needs (also known as adaptation) with or without SEND.
- Being accountable for the progress and development of all children in the class and identifying, planning and delivering any additional support your child may need (this could be things like targeted work, additional support, adapting resources etc.) and discussing amendments with the SENDCo as necessary.
- Reviewing support for children with/potential SEND on a graduated basis, in collaboration with parents, the SENDCo and, the children themselves.

Understanding of the individual needs and/or conditions, outcomes sought, and support and specific adjustments / strategies that are provided to any children with SEND they are working with who are on the SEND Register and ensuring that all members of staff working with your child in school are aware.

- Keeping the key people (leadership, parents, multi-agencies) up-to-date with any changes in behaviour, academic developments and causes of concern.

#### **4. Identification of children with SEND**

- 4.1. There is a clear distinction between 'underachievement', often caused by a poor early experience of learning, and 'special educational needs'. Some children may be underachieving but will not necessarily have a special educational need; it is our responsibility to identify this quickly and ensure that appropriate support is put in place to help these children 'catch up'. This may be through the Graduated Approach, to further identify potential SEND.
- 4.2. "A child or young person has SEND if they have a learning difficulty or disability which calls for special educational provision to be made for him or her" (children and Families Act 2014)
- 4.3. The Code of Practice (2014, updated May 2015) makes clear the four broad areas of Special Education Need, these are:
  - Communication and Interaction
  - Cognition and Learning
  - Social, emotional and mental health
  - Sensory and/or physical needs
- 4.4. In line with the Code of Practice, we follow the graduated approach to a children's special educational needs or potential need. This SEN support will take the form of a four-part cycle through which earlier decisions and actions are revisited, refined and revised with a growing understanding of the child's needs and of what supports the child in making good progress and securing good outcomes. It draws on more detailed approaches, more frequent reviews and more specialist expertise in successive cycles in order to match interventions to the SEND of children and young people. (Code of Practice, 2014) Further explanation of the Graduated Approach (Assess, Plan, Do and review) can be found in Appendix E.



- 4.5. Identification and registration – Children who are on the SEND register are either K (for School Support ) or E (for EHCP) for an Identified SEND. Those children who do not appear on the SEND Register but who are subject to the Graduated Approach to support early identification are Monitored Children (M). The SLT supports the SENDCo to ensure that those children on the SEND Register is well evidenced, (through the graduated approach) appropriate and early identification of children's needs including upon transition is clear; The Nursery School SEND register is accurate and is a regularly updated 'live document' , in collaboration with The SLT.
- 4.6. The responsibility and leadership of SEND is well evidenced when there is a clear strategic approach to SEND provision, with key personnel identified and recognised (primarily the SENDCo), and where continuing professional development (CPD) and performance management are successful in improving outcomes for all children with SEND.
- 4.7. The aspiration, progress and development of children with SEND is well evidenced through robust tracking and monitoring processes (including those which seek the views of SEND children and their parents/carers) which ensure levels of achievement and attainment are substantial and sustained, based on individual starting points, and where all children are well prepared for the next stages of their educational journey.

## 5. Deciding to place a child on the SEND Register

- 5.1. Brougham Street Community Nursery School strives for early identification of need, underpinned by evidence, about a child who despite receiving adapted learning opportunities through QFT:
- Makes **little or no progress** even when teaching approaches are targeted particularly in a child's identified area of weakness.
  - Shows signs of difficulty in developing **Prime Areas**, which result in poor attainment in some areas of the EYFS.

- Presents persistent **emotional** or **behavioural difficulties**, which are not met by the behavioural management strategies usually employed in the Nursery School, indicating Social, Emotional or Mental Health needs.
- Has **sensory** or **physical difficulties** and continues to make little or no progress despite the provision of specialist resources.
- Has **communication and / or interaction difficulties** and continues to make little or no progress despite the provision of an adapted curriculum.

5.2. The graduated approach is followed to support early identification as well as evidencing support for those on the SEND register. When a teacher, room leader or the SENDCo identifies a child as having or potentially having a SEND, the teacher or room leader will provide interventions that are **additional to** or **different from** those provided as part of the Nursery Schools usual adapted curriculum. These will be recorded on an Individual Education Plan (IEP/support plan) and be reviewed at least termly (3 times a year) as per the graduated approach. These plans may be reviewed more regularly if felt appropriate by the SENDCo in order to track and monitor progress more closely in the initial identification stages. This does not necessarily mean the child is formally placed on the SEND Register.

## 6. Statutory assessment of SEND

- 6.1. If the Nursery School is unable to meet the SEND of a child with all the agreed provision from its existing resources, finance and staffing expertise; and the outcomes for the child are not improving despite SEND Support, then the school may request a statutory assessment from the Local Authority, which may lead to an Education, Health and Care Plan. This will always be in discussion and consent with parents/carers.

The Nursery School will provide the LA with evidence about the child's progress over time, documentation in relation to the child's SEND support and any action taken to meet their SEND, including any resources or special arrangements in place.

This information may include:

- the child's IEPs (support plans)
- records of reviews with children and parents, and their outcomes
- medical information where relevant
- EYFS attainment, and wider learning profile
- educational and other assessments, e.g. Educational Psychologist
- views of the parent and the child
- involvement of outside agencies

- 6.2. If the Local Authority (LA) agrees to a Statutory Assessment, it must assess the education, health and care needs of that child. The LA must request advice and information on the child and the provision that must be put in place to meet those needs from:
- parents/ carers and/ or child
  - the Nursery School
  - an educational psychologist
  - health
  - social care
  - anyone else that parents/ carers request
  - a specialist teacher for a broad area of need or for the visually impaired or hearing impaired, if appropriate
- 6.3. From this information, it must then be decided whether or not to issue an Education, Health and Care Plan (EHCP). More information about this statutory process can be found in the SEND Information Report.
- 6.4. The SENDCo will take the lead role in managing the administrative process by liaising with the LA. Other routes to Statutory Assessment are possible e.g. Request by parents under section 328 or 329 of the Education Act 1996.
- 6.5. For children under 5, EHCP reviews are conducted every three to six months to ensure that the support provided in the plan is still appropriate and effective. Where a child with an EHCP is newly admitted to our school, an interim review will be held as soon as possible.

## **7. Working together across Education, Health and Care**

- 7.1. We are committed to joint working arrangements with education, health and care bodies and professionals to secure effective outcomes for all children in our schools.
- 7.2. Brougham Street Community Nursery School works with local and national providers to secure the services needed to improve outcomes for children with SEND. These services could include speech and language therapy, physiotherapy, occupational therapy, education psychology, mental health services, other health and social care professionals.
- 7.3. If after suitable provision has been made and reviewed, adequate progress is not observed the Teacher, Room Leaders and SENDCo would consider a referral to outside agencies. It may be appropriate at this stage to seek advice and support from external agencies such as the LA Specialist SEND Teams, Educational Psychologist, CAMHS, etc. The role of these agencies is to help to assess difficulties

and to advise on new targets and strategies for IEPs (support plans). Such agencies can become involved earlier if it is deemed appropriate.

## **8. Disadvantaged children in receipt of the Early Years Pupil Premium -**

- 8.1. Statistics indicate children who are disadvantaged are more vulnerable to SEND. Our approach for disadvantaged children is underpinned by our ethos, vision and core values and informed by evidence from research and best practice, and as recommended through the '7 Building Blocks' for Pupil Premium Children. These can be found in Appendix D.

## **9. Involving children and parents in decision making**

- 9.1. Parents and carers of children with or potential SEND are actively encouraged to share their knowledge of their child; the headteacher and SENCo will support family members to ensure their views and contributions are valued and will be acted upon.
- 9.2. Parents/carers will always be formally notified when we place their child on the SEND Register and/or additional or different provisions are made for their child with SEND Support. They will be kept up to date with any reviews/changes at least 3 times annually. This will usually be by the class teacher but may also be the SENDCo/Head Teacher.
- 9.3. Decisions on whether the Nursery School will seek formal assessment and/or commission added provisions will be discussed thoroughly with the LA and parents. This includes Specialist Support. The decision to involve outside agencies will always be made with the consent of the Parent/Carer.

## **10. Safeguarding**

- 11.1. Our Child Protection Policy makes provision for the effective identification and action required to protect and safeguard all children, including those with SEND, in accordance with the provisions of Keeping Children Safe in Education. In particular, our staff are trained to take action to prevent the risks relating to children with SEND identified by KCSiE with respect to sexual violence, harassment and online safety.

This policy links to:

- Accessibility Plan
- Behaviour Policy
- Anti Bullying and Harassment Policy
- Equalities Objectives
- Supporting Children with Medical Conditions

- Safeguarding and Child Protection Policy

## Appendix A - Document Control Sheet

### Revisions

Version	Description of Change	Date

## Appendix B – Comprehensive Legal Framework

This policy has due regard to all relevant legislation including, but not limited to, the following:

- Children and Families Act 2014
- Health and Social Care Act 2012
- Equality Act 2010
- The Equality Act 2010 (Disability) Regulations 2010
- Education Act 1996
- Education Act 2002
- Mental Capacity Act 2005
- Children Act 1989
- The Special Educational Needs and Disability (Amendment) Regulations 2015
- The Special Educational Needs (Personal Budgets) Regulations 2014
- The Special Educational Needs and Disability (Detained Persons) Regulations 2015
- Local Government Act 1974
- Disabled Persons (Services, Consultation and Representation) Act 1986
- Data Protection Act 2018
- The UK General Data Protection Regulation (GDPR)
- KCSIE

## Appendix C – Glossary of Terms

**SEND** – Special Educational Needs and Disabilities

**SENDCO** – Special Educational Needs and Disability Coordinator

**IEP** – Individual Education Plan

**SMART** – Specific, Measurable, Achievable, Realistic, Time (driven Targets)

**EP** – Educational Psychologist

**TA** – Teaching Assistant

**MSA** – Midday Supervising Assistant

**Graduation Approach** – Cycle of assessment, planning, doing and reviewing of SEND

**EHCP** – Education Health Care Plan

**EHCAR** - Education Health Care Assessment Request

**CoP** – Code of Practice (2014 updated 2015)

**C+L** – Cognition and Learning

**C+I** – Communication and Interaction

**SEMH** – Social, Emotional, Mental Health

**SP** – Sensory and/or Physical

**ASC** – Autism Spectrum Condition

**EAL** – English as an additional Language

**MEG** -Minority Ethnic Group

**PP** – Pupil Premium

**QFT** – Quality First Teaching

**EHRC** - Equality and Human Rights Commission

**QA** – Quality Assurance

**LGB** – Local Governing Body

**LAC** – Looked After Children

**LA** – Local Authority

**CPD** – Continuing Professional Development

**FSM** – Free School Meals - For those children who have been in receipt of free school meals (FSM) at any point in the last six years, are children of Service personnel who have served at any point in the last six years, or are children who have been looked after for 1 day or more, adopted from care, or who have left care under a special guardianship order, a residence order, or a child arrangements order, the Pupil

Premium is additional funding provided to schools with the sole aim of improving educational and wider outcomes.

## **Appendix D – Disadvantaged Children**

The seven building blocks for Pupil Premium children;

1. Whole-school ethos of attainment for all.
2. Addressing behaviour and attendance.
3. High-quality teaching for all.
4. Meeting individual learning needs.
5. Deploying staff effectively.
6. Data-driven and responding to evidence.
7. Clear, responsive leadership

## **Appendix E – The Graduated Approach**

### Identify Children's needs early (Assess)

- Routine teacher assessments reported to SENDCo where by the teacher/Room Leader has concerns in progress
- Early years staff and SENCO to liaise with outside agencies, key workers etc. about difficulties with pre-school entry
- Use of 'Cause for Concern' forms for staff to detail strengths and weaknesses to consult with the SENDCo in addition to routine teacher assessment.
- Use of Nursery profile, Baseline Assessments to highlight areas of weakness at an early stage
- Regular communication with parents/carers to ensure any concerns are noted/discussed and addressed
- Referrals made to appropriate agencies early e.g. paediatrician, Local Authority Specialist Teachers including EAL

### Plan effective interventions (Plan)

- All IEP targets to be SMART targets
- All planned interventions to be known to all staff working with the child i.e. IEP's will be copied for Parents/Carers and Teaching Assistants
- Parents /Carers to be seen as partners working alongside teachers to create an effective learning intervention
- Good communication with parents/carers, outside agencies and SENCO
- Where appropriate children to discuss their future targets and celebrate in their own achievements

### Implement Provisions, Interventions and Strategies (DO)

- The class teacher/Room Leader will remain responsible for working with the child on a daily basis.
- They will work closely with any support staff or specialist staff involved, to plan and assess the impact of support and interventions and how they can be linked to classroom teaching.
- The SENCO should support the class teacher/Room Leader in the further assessment of the child's particular strengths and weaknesses, in problem solving and advising on the effective implementation of support.

### Evaluate and revise interventions regularly (Review)

- Good communication between Teacher/Room Leader and Support Staff to ensure information about targets/children's progress is monitored.
- Interventions need to be reviewed and evaluated regularly. Future planning to be based on this information
- Progress to be regularly shared and discussed with parents/carers
- Children to be involved where appropriate in discussing and evaluating their progress