

## **Safeguarding and Welfare Requirement: Special educational needs**

Providers must have arrangements in place to support children with SEN or disabilities.

### **9.1 Valuing diversity and promoting inclusion and equality**



#### **Policy statement**

We are committed to ensuring that our service is fully inclusive in meeting the needs of all children.

We recognise that children and their families come from a wide range of backgrounds with individual needs, beliefs and values. They may grow up in family structures that include one or two parents of the same or different sex. Children may have close links or live with extended families of grandparents, aunts, uncles and cousins; while other children may be more removed from close kin or may live with other relatives or foster carers. Some children come from families who experience social exclusion, severe hardship; discrimination and prejudice because of their ethnicity, disability and/or ability, the languages they speak, their religious or personal beliefs, their sexual orientation and marital status. Some individuals face discrimination linked to their gender and some women are discriminated against because of their pregnancy and maternity status. [We/I] understand that all these factors can affect the well-being of children within these families and may adversely impact on children's learning, attainment and life outcomes.

We are committed to anti-discriminatory practice to promote equality of opportunity and valuing diversity for all children and families using our setting. We aim to:

- promote equality and value diversity within our service and foster good relations with the local community;
- actively include all families and value the positive contribution they make to our service;
- promote a positive non-stereotyping environment that promotes dignity, respect and understanding of difference in all forms;
- provide a secure and accessible environment in which every child feels safe and equally included;
- improve our knowledge and understanding of issues relating to anti-discriminatory practice,
- challenge and eliminate discriminatory actions based on a protected characteristic as defined by the Equality Act (2010) namely:
  - age;
  - gender;
  - gender reassignment;
  - marital status;
  - pregnancy and maternity;
  - race;
  - disability;

- sexual orientation; and
- religion or belief.
- where possible, take positive action to benefit groups or individuals with protected characteristics who are disadvantaged, have a disproportional representation within the service or need different things from the service.

## **Procedures**

### *Admissions*

Our setting is open and accessible to all members of the community.

- We base our Admissions Policy on a fair system.
- We do not discriminate against a child or their family in our service provision, including preventing their entry to our setting based on a protected characteristic as defined by the Equality Act (2010).
- We advertise our service widely.
- We provide information in clear, concise language, whether in spoken or written form and provide information in other languages (where ever possible).
- We reflect the diversity of our community and wider society in our publicity and promotional materials.
- We provide information on our offer of provision for children with special educational needs and disabilities.
- We ensure that all parents are made aware of our Valuing Diversity and Promoting Inclusion and Equality Policy.

We make reasonable adjustments to ensure that disabled children can participate successfully in the services and in the curriculum offered by the setting.

- We ensure, wherever possible, that we have a balanced intake of boys and girls in the setting.
- We act against any discriminatory, prejudice, harassing or victimising behaviour by our staff, volunteers or parents whether by:
  - direct discrimination – someone is treated less favourably because of a protected characteristic e.g. preventing families of a specific ethnic group from using the service;
  - indirect discrimination – someone is affected unfavourably by a general policy e.g. children must only speak English in the setting;
  - discrimination arising from a disability – someone is treated less favourably because of something connected with their disability e.g. a child with a visual impairment is excluded from an activity;
  - association – discriminating against someone who is associated with a person with a protected characteristic e.g. behaving unfavourably to someone who is married to a person from a different cultural background; or
  - perception – discrimination on the basis that it is thought someone has a protected characteristic e.g. making assumptions about someone's sexual orientation.
- We will not tolerate behaviour from an adult who demonstrates dislike or prejudice towards individuals who are perceived to be from another country (xenophobia).

- Displaying of openly discriminatory xenophobic and possibly offensive or threatening materials, name calling, or threatening behaviour are unacceptable on, or around, our premises and will be dealt with immediately and discreetly by asking the adult to stop using the unacceptable behaviour and inviting them to read and to act in accordance with the relevant policy statement and procedure. Failure to comply may lead to the adult being excluded from the premises.

### *Employment*

- We advertise posts and all applicants are judged against explicit and fair criteria.
- Applicants are welcome from all backgrounds and posts are open to all.
- We may use the exemption clauses in relevant legislation to enable the service to best meet the needs of the community.
- The applicant who best meets the criteria is offered the post, subject to references and suitability checks. This ensures fairness in the selection process.
- All our job descriptions include a commitment to promoting equality and recognising and respecting diversity as part of their specifications.
- We monitor our application process to ensure that it is fair and accessible.

### *Training*

- We seek out training opportunities for our staff and volunteers to enable them to develop anti-discriminatory and inclusive practices.
- We ensure that our staff are confident and fully trained in administering relevant medicines and performing invasive care procedures on children when these are required.
- We review our practices to ensure that we are fully implementing our policy for Valuing Diversity and Promoting Equality.

### *Curriculum*

The curriculum offered in our setting encourages children to develop positive attitudes about themselves as well as about people who are different from themselves. It encourages development of confidence and self esteem, empathy, critical thinking and reflection.

We ensure that our practice is fully inclusive by:

- creating an environment of mutual respect and tolerance;
- modelling desirable behaviour to children and helping children to understand that discriminatory behaviour and remarks are hurtful and unacceptable;
- positively reflecting the widest possible range of communities within resources;
- avoiding use of stereotypes or derogatory images within our books or any other visual materials;
- celebrating locally observed festivals and holy days;
- ensuring that children learning English as an additional language have full access to the curriculum and are supported in their learning;
- ensuring that disabled children with and without special educational needs are fully supported;

- ensuring that children speaking languages other than English are supported in the maintenance and development of their home languages

We will ensure that Our environment is as accessible as possible for all visitors and service users. We do this by:

- undertaking an access audit to establish if the setting is accessible to all disabled children and adults. If access to the setting is found to treat disabled children or adults less favourably, then we make reasonable adjustments to accommodate the needs of disabled children and adults.
- fully differentiating the environment, resources and curriculum to accommodate a wide range of learning, physical and sensory needs.

### *Valuing diversity in families*

- We welcome the diversity of family lifestyles and work with all families.
- We encourage children to contribute stories of their everyday life to the setting.
- We encourage mothers, fathers and other carers to take part in the life of the setting and to contribute fully.
- For families who speak languages in addition to English, we will develop means to encourage their full inclusion.
- We offer a flexible payment system for families experiencing financial difficulties and offer information regarding sources of financial support.
- We take positive action to encourage disadvantaged and under-represented groups to use the setting.

### *Food*

- We work in partnership with parents to ensure that dietary requirements of children that arise from their medical, religious or cultural needs are met where ever possible.
- We help children to learn about a range of food, and of cultural approaches to mealtimes and eating, and to respect the differences among them.

### *Meetings*

- Meetings are arranged to ensure that all families who wish to may be involved in the running of the setting.
- We positively encourage fathers to be involved in the setting, especially those fathers who do not live with the child.
- Information about meetings is communicated in a variety of ways - written, verbal and where resources allow in translation – to ensure that all mothers and fathers have information about, and access to, the meetings.

### *Monitoring and reviewing*

- So that our policies and procedures remain effective, we monitor and review them annually to ensure our strategies meet our overall aims to promote equality, inclusion and to value diversity.
- We provide a complaints procedure and a complaints summary record for parents to see.

### *Public Sector Equality Duty*

- We have regard to the Duty to eliminate discrimination, promote equality of opportunity, foster good relations between people who share a protected characteristic and those who do not.

### **Legal framework**

The Equality Act (2010)

Children Act (1989) & (2004)

Children and Families Act (2014)

Special Educational Needs and Disabilities Code of Practice (2014)

## 9.2 Supporting children with special educational needs



### Policy statement

We provide an environment in which all children with special educational needs (SEN) are supported to reach their full potential.

- We have regard for the Special Educational Needs and Disability Code of Practice (2014).
- We have in place a clear approach for identifying, responding to, and meeting children's SEN<sup>1</sup>.
- We support and involve parents (and where relevant children), actively listening to, and acting on their wishes and concerns.
- We work in partnership with the local authority and other external agencies to ensure the best outcomes for children with SEN and their families.
- We regularly monitor and review our policy, practice and provision and, if necessary, adjust.

### Procedures

- We designate a member of staff to be the Special Educational Needs Co-ordinator (SENCO) and give his/her name to parents. Our SENCO is:  

Katrina Whichelow
- The SENCO works closely with our manager and other colleagues and has responsibility for the day-to-day operation of our Supporting Children with Special Educational Needs Policy and for co-ordinating provision for children with SEN.
- We ensure that the provision for children with SEN is the responsibility of all members of the setting.
- We ensure that our inclusive admissions practice ensures equality of access and opportunity.
- We provide a broad, balanced and differentiated curriculum for all children.
- We apply SEN support to ensure early identification of children with SEN.
- We use the graduated approach system (assess, plan, do and review) applied in increasing detail and frequency to ensure that children progress.
- We ensure that parents are involved at all stages of the assessment, planning, provision and review of their children's special education including all decision-making processes
- We where appropriate, consider children's views and wishes in decisions being made about them, relevant to their level understanding.
- We provide parents with information on local sources of support and advice e.g. Local Offer, Information, Advice and Support Service.
- We liaise and work with other external agencies to help improve outcomes for children with SEN.

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<sup>1</sup> This includes disabled children with special educational needs

- We have systems in place for referring children for further assessment e.g. Common Assessment Framework/Early Help Assessment and Education, Health and Care (EHC) assessment.
- We provide resources (human and financial) to implement our Supporting Children with Special Educational Needs Policy.
- We ensure that all our staff are aware of our Supporting Children with Special Educational Needs Policy and the procedures for identifying, assessing and making provision for children with SEN. We provide in-service training for parents, practitioners and volunteers.
- We raise awareness of our special education provision via our website and or promotional materials.
- We ensure the effectiveness of our special educational needs provision by collecting information from a range of sources e.g. action plan reviews, staff and management meetings, parental and external agency's views, inspections and complaints. This information is collated, evaluated and reviewed annually.
- We provide a complaints procedure.
- We monitor and review our policy annually.

### **Role of the SENCo**

To ensure the setting has regard to the SEN Code of Practice (2014) and The Equality Act 2010.

To be responsible for ensuring:

- A SEN Inclusion Policy is in place;
- The Policy is put into practice;
- The Policy is reviewed annually.
  
- Take the lead in observations and assessments of children with SEN including their strengths and areas to develop using the Individual Assessment of Early Learning and Development (IAELD) where appropriate.
- Liaise with the key person to complete the IAELD/developmental assessment and set SEN Support Plans where necessary.
- Gather evidence and co-ordinate support, work with colleagues to develop the child's skills through inclusive planning in line with Early Years Foundation Stage (EYFS).
- Keep appropriate records which are regularly reviewed and monitored;
- Ensure appropriate SEN Support Plans are in place and regularly monitored and reviewed;
- Work closely with parents to ensure background information is collected and shared appropriately.
- Liaise with colleagues and managers as appropriate;
- Promote a positive working relationship with parents/carers;
- Develop links and liaise as appropriate with other professionals, Health Visitors, SEN Preschool Advisory Teacher, Speech and Language Therapists, Inclusion Development Officer, Educational Psychologists.
- Attend SENCo clusters regularly to update and inform;
- Identify individual settings needs and arrange in-house training where appropriate.
- Have an awareness of Early Support and common Assessment Framework (eCAF).
- Use knowledge and experience to support the setting to develop their inclusive practice.

## **SEN support – The Graduated Approach – Assess, Plan, Do, Review**

- Early Action to address identified needs is critical to the future progress and improved outcomes that are essential in helping children to prepare for adult life. Where we identify a child as having SEN we will work in partnership with parents to establish the support the child needs.
- When we have identified the need to make special educational provision for a child with SEN we will inform the parents. We adopt a graduated approach with four stages of action: assess, plan, do and review.

### **Assess**

- In identifying a child as needing SEN support, the key person, working with the setting SENCO and the child's parents, will have carried out an assessment of the child's needs. The 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 our setting. Where professionals are not already working with the setting, the SENCO should contact them, with the parents' agreement. At this point we will also request permission from the parent/carer for us to complete Hertfordshire's Individual Assessment of Early Learning and Development to further inform our planning for the child's individual needs.

### **Plan**

- Where it is decided to provide SEN support we will formally notify the parents/carer. We will then agree, in consultation with the parent/carer, the outcomes they are seeking, the interventions and support to be put in place, the expected impact on progress, and a clear date for review. Plans should consider the views of the child. The support and intervention provided or sought should be agreed to meet the outcomes identified for the child. It should be provided by the practitioners with relevant skills and knowledge.

### **Do**

- The early year's practitioner, usually the child's key person, remains mainly responsible for working with the child daily. With support from the SENCO, they should oversee the implementation of the interventions or programmes agreed as part of SEN support. This may include an individual SEN support plan. The SENCO should 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. All staff within the setting however, have a responsibility for supporting all children.

### **Review**

- The effectiveness of the support and its impact on the child's progress should be reviewed in line with the agreed date (in Early Years this would potentially be half termly). The impact and quality of the support should be evaluated by the practitioner and the SENCO working with the child's parents and considering the child's views. They should agree any changes to the outcomes and support for the child considering the child's progress and development. Parents should have clear information about the impact of the support provided and be involved in planning next steps.

- This cycle of action should be revisited in increasing detail and with increasing frequency, to identify the best way of securing good progress. At each stage parents should be engaged with the setting, contributing their insights to assessment and planning. Intended outcomes should be shared with parents and reviewed with them, along with action taken by the setting, at agreed times.

### **Education, Health and Care Plans (EHCPs)**

- Hertfordshire County Council should conduct an EHC needs assessment for children under compulsory school age when the special educational provision required to meet the child's needs cannot reasonably be provided from the resources normally available.
- Where young children do need an EHC plan, HCC must seek advice from the early years setting in making decisions.
- Families of children with an education health and care plan are entitled to a personal budget.
- Statements will be transferred over to Education, Health and Care (EHC) assessments and plans from September 2014 usually during an annual review or at a key transition.
- Where a child has an EHC plan, the local authority must review that plan as a minimum every twelve months. As part of the review, the local authority can ask settings, and require maintained nursery schools, to convene and hold the annual review meeting on its behalf. Further information about EHC plan reviews and the role of early year's settings is in Chapter 9, Education, Health and Care needs assessments and plans. (SEN Code of Practice 2014 p86-87).

### **Local Offer**

- Local authorities must publish a Local Offer, setting out in one place information about provision they expect to be available across education, health and social care for children and young people in their area who have SEN or are disabled, including those who do not have Education, Health and Care (EHC) plans. In setting out what they 'expect to be available', local authorities should include provision which they believe will be available. Our setting has written, and early years offer which feeds in to the HCC Local Offer. Please see the next page for further details.

### **Funding for SEN support in early years**

Hertfordshire provide Exceptional Needs Funding for children with SEN who access funded 2, 3 and 4-year-old placements. In certain circumstances we will endeavour to access this funding with parental permission. If successful, this funding will be used by the setting to support the individual child.

### **Further guidance**

- Early Years Foundation Stage Statutory Framework (DfE 2017)
- Working Together to Safeguard Children (DfE 2015)

- Special Educational Needs and Disability Code of Practice (DfE & DoH 2014)

## 9.5 British values



### Policy statement

We actively promote inclusion, equality of opportunity, the valuing of diversity and British values.

Under the Equality Act 2010, which underpins standards of behaviour and incorporates both British and universal values, we have a legal obligation not to directly or indirectly discriminate against, harass or victimise those with protected characteristics. We make reasonable adjustments to procedures, criteria and practices to ensure that those with protected characteristics are not at a substantial disadvantage. As we are in receipt of public funding we also have a public-sector equality duty to eliminate unlawful discrimination, advance equality of opportunity, foster good relations and publish information to show compliance with the duty.

Social and emotional development is shaped by early experiences and relationships and incorporates elements of equality and British and universal values. The Early Years Foundation Stage (EYFS) supports children's earliest skills so that they can become social citizens in an age-appropriate way, that is, so that they are able to listen and attend to instructions; know the difference between right and wrong; recognise similarities and differences between themselves and others; make and maintain friendships; develop empathy and consideration of other people; take turns in play and conversation; avoid risk and take notice of rules and boundaries; learn not to hurt/upset other people with words and actions; understand the consequences of hurtful/discriminatory behaviour.

### Procedures

#### *British Values*

The fundamental British values of *democracy, rule of law, individual liberty, mutual respect and tolerance for those with different faiths and beliefs* are already implicitly embedded in the 2014 EYFS and are further clarified below, based on the *Fundamental British Values in the Early Years* guidance (Foundation Years 2015):

- *Democracy*, or making decisions together (through the prime area of Personal, Social and Emotional Development)
  - As part of the focus on self-confidence and self-awareness, practitioners encourage children to see their role in the bigger picture, encouraging them to know that their views count, to value each other's views and values, and talk about their feelings, for example, recognising when they do or do not need help.
  - Practitioners support the decisions that children make and provide activities that involve turn-taking, sharing and collaboration. Children are given opportunities to develop enquiring minds in an atmosphere where questions are valued.
- *Rule of law*, or understanding that rules matter (through the prime area of Personal, Social and Emotional Development)
  - Practitioners ensure that children understand their own and others' behaviour and its consequence.

- Practitioners collaborate with children to create rules and the codes of behaviour, for example, the rules about tidying up, and ensure that all children understand rules apply to everyone.
- *Individual liberty, or freedom for all* (through the prime areas of Personal, Social and Emotional Development, and Understanding the World)
  - Children should develop a positive sense of themselves. Staff provide opportunities for children to develop their self-knowledge, self-esteem and increase their confidence in their own abilities, for example through allowing children to take risks on an obstacle course, mixing colours, talking about their experiences and learning.
  - Practitioners encourage a range of experiences that allow children to explore the language of feelings and responsibility, reflect on their differences and understand we are free to have different opinions, for example discussing in a small group what they feel about transferring into Reception Class.
- *Mutual respect and tolerance, or treating others as you want to be treated* (through the prime areas of Personal, Social and Emotional Development, and Understanding the World)
  - Practitioners create an ethos of inclusivity and tolerance where views, faiths, cultures and races are valued, and children are engaged with the wider community.
  - Children should acquire tolerance, appreciation and respect for their own and other cultures; know about similarities and differences between themselves and others, and among families, faiths, communities, cultures and traditions.
  - Practitioners encourage and explain the importance of tolerant behaviours, such as sharing and respecting other's opinions.
  - Practitioners promote diverse attitudes and challenge stereotypes, for example, sharing stories that reflect and value the diversity of children's experiences and providing resources and activities that challenge gender, cultural or racial stereotyping.
- *In our setting it is not acceptable to:*
  - actively promote intolerance of other faiths, cultures and races
  - fail to challenge gender stereotypes and routinely segregate girls and boys
  - isolate children from their wider community
  - fail to challenge behaviours (whether of staff, children or parents) that are not in line with the fundamental British values of democracy, rule of law, individual liberty, mutual respect and tolerance for those with different faiths and beliefs

### *Prevent Strategy*

Under the Counter-Terrorism and Security Act 2015 we also have a duty *"to have due regard to the need to prevent people from being drawn into terrorism"*

### **Legal framework**

Counter-Terrorism and Security Act 2015

## **Further guidance**

Equality Act 2010: Public Sector Equality Duty - What Do I Need to Know? A Quick Start Guide for Public Sector Organisations (Government Equalities Office 2011)

Fundamental British Values in the Early Years (Foundation Years 2015)

Prevent Duty Guidance: for England and Wales (HMG 2015)

The Prevent Duty: Departmental Advice for Schools and Childcare Providers (DfE 2015)