



The Role and Responsibilities of school Governing Bodies in regard to pupils with SEND

(Taken from the Code of Practice January 2015 Chapter 6 - Schools)

The following information may be of help to schools and governing bodies in ensuring compliance with the Code of Practice with regard to their roles and responsibilities towards learners with Special Educational Needs and/or Disabilities (SEND). An essential point is that the Code makes it clear that additional intervention and support cannot compensate for a lack of good teaching. As such it reflects that high quality teaching, appropriately differentiated for individual pupils, is the first step in responding to possible special educational needs. For pupils that need special educational provision, the Code sets out the principle of a graduated response which acknowledges that some children will benefit from specific support from the school or external experts (such as an Educational Psychologist or a Speech and Language Therapist). As well as understanding and promoting this, Governing bodies have a duty to oversee the following:

6.2 Every school is required to identify and address the SEN of the pupils that they support. They must:

- use their best endeavours to ensure that needs of children and young people are met. 'There should be a member of the governing body or a sub-committee with specific oversight of the school's arrangements for SEN and disability.'
- ensure that within their schools, children and young people with SEN engage in activities alongside others who do not have SEN
- inform parents when they are making special educational provision for a child
- Make known their arrangements for the admission of disabled children, the steps being taken to prevent disabled children from being treated less favourably than others, the facilities provided to enable access to the school for disabled children and their accessibility plan showing how they plan to improve access progressively over time ie how they plan to increase access for disabled pupils to the curriculum, the physical environment and to information

6.9 All schools have duties under the Equality Act 2010 towards individual disabled children and young people. They must make reasonable adjustments, including the provision of auxiliary aids and services for disabled children, to prevent them being put at a substantial disadvantage. These duties are anticipatory – they require thought to be given in advance to what disabled children and young people might require and what adjustments might need to be made to prevent that disadvantage. Governors must ensure that schools do not discriminate against disabled pupils. Schools also have wider duties to promote equality of opportunity and to foster good relations between disabled and non disabled pupils. (Further more detailed information can be found on pages 16 and 17 of the Code)

6.11 All schools must make arrangements for supporting pupils with medical conditions. This involves having due regard of the relevant statutory guidance and publishing a policy on 'Supporting Pupils with Medical Conditions'

6.79-6.83 Governors must ensure that they publish an SEN information report and update it annually. There is very specific guidance around what must be included in the SEN Information report.

RELATING TO SENCOs

6.84 The Governing Bodies of schools (or proprietors of free schools) must appoint a SENCO who is a qualified teacher. New to role SENCOs with less than 12 months' experience must achieve the NASENCO qualification within 3 years of appointment (see supplementary information relating to the role of the SENCO)

6.87 The SENCO has an important role to play with the headteacher and governing body, in determining the strategic development of SEN policy and provision in the school. They will be most effective in that role if they are part of the school leadership team

6.90 The key responsibilities of the SENCO may include:

- overseeing the day-to-day operation of the school's SEN policy
- co-ordinating provision for children with SEN
- liaising with the relevant Designated Teacher where a looked after pupil has SEN
- advising on the graduated approach to providing SEN support
- advising on the deployment of the school's delegated budget and other resources to meet pupils' needs effectively
- liaising with parents of pupils with SEN
- liaising with early years providers, other schools, educational psychologists, health and social care professionals, and independent or voluntary bodies
- being a key point of contact with external agencies, especially the local authority and its support services
- liaising with potential next providers of education to ensure a pupil and their parents are informed about options and a smooth transition is planned
- working with the headteacher and school governors to ensure that the school meets its responsibilities under the Equality Act (2010) with regard to reasonable adjustments and access arrangements
- ensuring that the school keeps the records of all pupils with SEN up to date

6.91 The school should ensure that the SENCO has sufficient time and resources to carry out their functions. This should include providing the SENCO with sufficient administrative support and time away from teaching to enable them to fulfil their responsibilities in a similar way to other important strategic roles within a school.

6.97 Governing bodies, along with the SENCO and Headteacher, should establish a clear picture of the resources that are available to the school ie funding from within notional budget. They should consider their strategic approach to meeting SEN in the context of the total resources available, including any resources targeted at particular groups, such as the pupil premium.

