



# Children and Schools Directorate



## MAKING A DIFFERENCE

A guide for Special Education Needs SEN Governors

# 1. Introduction

## A Vital Role

As a special educational needs (SEN) governor, you can make an important contribution to the school and the support it provides for pupils with SEN. This booklet helps you to understand what SEN Governors do and gives some useful information.

The governing body, of which you are a member, has statutory responsibilities for pupils with SEN. Put simply, the governing body must do its best to ensure that the school makes the necessary provision for every pupil with SEN. Your role is to make sure that the governing body, and the school staff, keep in mind the needs of these pupils. Whether you are considering the budget, personnel, policies or curriculum, make sure SEN issues are on the agenda.

Further on in this booklet, you will find a checklist of actions an SEN Governor could take and suggestions of ways you can help your school.

It's important to be aware that every school is different – the needs of pupils vary from school to school, as does the range of SEN, the relationships you build and the amount of involvement you have at governing body meetings. The amount of time you can devote to the role will also vary. Don't expect to make a big difference

straight away. Gathering knowledge and building relationships are the first priorities and both take time.

## Focussing on Needs

Although the role of the SEN Governor varies, one feature remains constant – being an SEN Governor is about doing your best to make sure pupils with SEN get the help they need to access the curriculum, and to participate fully in the life of the school. This is what makes it so worthwhile.

You don't need formal qualifications or specialist knowledge to be an SEN Governor, but the better informed you are, the more you can help your school.

The important thing to remember is that you are part of a team, which consists of everyone who has responsibility for the pupils with SEN in your school. This includes other governors, the Head Teacher and the Additional Learning Needs Co-ordinator (ALNCO).

## Responsibility

As the SEN governor you are NOT personally liable for the school's provision for pupils with SEN. Rather, the governing body is corporately responsible, under section

317 of the Education Act 1996, to do its best to ensure the necessary provision is made for pupils with SEN.

See section 1:30 of the SEN Code for the legal responsibilities of governing bodies for pupils with SEN.

### **Making a Difference – How to use the pack**

This pack is here to help you understand your role and:

- can be used as a quick reference to your responsibilities and who's who
- from the experience of SEN governors points the way to other sources of information in relation to SEN
- suggests things you can read and do to become better informed and make a difference to the pupils at your school
- helps you find your way around the SEN Code of Practice
- gives practical tips, drawn from the experience of SEN Governors

## **2. The Special Educational Needs Code of Practice**

The *Education Act 1993* (consolidated by the 1996 Act) required a Code of Practice to be produced giving practical guidance on how local authorities and schools should undertake their functions in respect of SEN.

The first Code of Practice was produced by the UK Government and came into effect in 1994. Following devolution, the then Minister for Education and Lifelong Learning, Jane Davidson, published the **first SEN Code of Practice specific to Wales** [hereafter 'the Code']. This took effect from **1 April 2002** and is still in force today.

The **relevant agencies must have regard** to the Code of Practice and, whilst they may choose exactly how to fulfil their statutory duties, must do so in light of the guidance it provides.

The Code is founded on **five general principles**:

- a child with SEN should have their needs met;
- The SEN of children will normally be met in mainstream schools or settings;
- The views of the child should be sought and taken into account;

- Parents have vital role to play in supporting the child's education;
- Children with SEN should be offered access to a broad, balanced and relevant education.

The SEN Code may look like a lot to take in, but don't be daunted – you don't need to read it all at once. You might like to start by looking at the *Guide for Parents and Carers*, which is a shorter, more accessible introduction to SEN and the SEN Code.

Then read **1:30-31** of the SEN Code itself – this is the most important part for you as an SEN Governor. This section gives all the duties of a governing body in relation to provision for SEN.

If you want to read more of the SEN Code, read **chapter 5** if you are the SEN Governor of a primary school and **chapter 6** if you are a secondary school governor.

As you get more involved in the SEN issues in your school, you will probably want to dip into other bits of the SEN Code. There is an index at the back to help you find what you need (**p150**), and a list of commonly used words and phrases, with their meanings, to help explain key terms (**p143**).

### 3. What do we mean by special education needs?

Approximately one in five learners in maintained schools in Wales have Additional Learning Needs (ALN). In Pembrokeshire there are currently 4,272 learners with ALN. These needs are currently met through three graduated stages of intervention:

- Firstly, additional support provided by schools themselves (***School Action***);
- Secondly, additional support by schools together with the involvement of external agencies (***School Action Plus***); and
- Thirdly, a **statement of SEN** provides a legal entitlement to a specified package of support.

For a small minority of children with complex needs a statutory assessment will enable the local authority to determine and arrange the special educational provision. It has a duty under section 324 of the Education Act 1996 to arrange the special educational provision in a child's statement.

In Pembrokeshire, most children and young people at School Action Plus have their specific needs met without the resource for a statement of SEN. This way of working

is in keeping with the new ALN legislation which will replace the system of school-led intervention and local authority statements with a holistic system where all learners with SEN have an Individual Development Plan.

SEN will usually fall into at least one of the following four broad areas:

- Communication and interaction
- Cognition and learning
- Behaviour, emotional and social development
- Sensory and/or physical

### **Definition of Special Educational Needs**

Section 312(1) of the ***Education Act 1996*** states that children have Special Educational Needs (SEN) if '[they] have a **learning difficulty which calls for special educational provision** to be made for [them]',

A **learning difficulty** is defined by section 312(2) as:

- a. having a **significantly greater difficulty** in learning than the **majority** of children of the same age;

- b. having a **disability** which either **prevents or hinders** them from making **use of educational facilities of a kind generally provided** for children of their age in school within the area of the local authority; or
- c. If they are **under compulsory school age and fall within the definition** at a) or b) or would do so if special educational provision was not made for them.

Section 312 (4) states that **special educational provision** means;

- a. for children **aged two or over**, educational provision that is **additional to, or otherwise different from**, the educational provision made **generally** for children of their age in **maintained schools**, other than special schools, in the area;
- b. For children aged under two, educational provision of any kind.

A child is not regarded as having a learning difficulty solely because the language spoken at home is different to the language in which they will be taught.

## **4. The Role of the link governor for SEN**

All governing bodies have important statutory duties towards pupils with special educational needs (SEN). Governing bodies should, with the Head Teacher, decide the school's general policy and approach to meeting pupils' special educational needs for those with and without statements.

Under the provisions of the Education Act, 1996, governors and LAs have a duty to do their best to ensure that the necessary provision is made for pupils with SEN and must have regard to the SEN Code of Practice.

Every school must have a 'responsible person' who makes sure that all those who are likely to teach a pupil with SEN are told about the statement. The person is generally the Head Teacher.

The governing body should designate a person to be the additional learning needs co-ordinator (ALNCO) for the school.

The governing body must;

- ensure that the ALNCO is a qualified teacher
- determine the leadership and management role of the ALNCO
- determine and monitor the key responsibilities of the ALNCO

Most governing bodies appoint a link governor to have specific oversight of the school's arrangements and provision for meeting SEN. The governor is the link between the governing body and the school in relation to pupils with SEN.

Some questions to ask as school governor for SEN:

**i. How the school identifies children with SEN**

Make sure you understand how the school identifies a pupil with SEN and what happens once a pupil has been identified (5:37-5:42) of the SEN Code for primary schools and 6:41-6:19 for secondary schools). Different pupils need different help. The school arranges help for pupils with SEN on a step-by-step basis called the graduated approach – this is explained on page 8 of the *Guide for Parents and Carers*.

**ii. How SEN money from LEAs is allocated and spent**

The local authority delegates a notional budget to each maintained school which means the decision on how the funding is spent is with the Head Teacher.

To find out how much the school received in relation to SEN ask for a copy of the schools 'ALN Data Analysis and Commentary Pack'

**You might ask:**

- Who is involved in deciding how the allocation is spent?
- What is the allocation of funding spent on?
- How does the school determine that the provision provides good outcomes for learners?
- Is there a more cost effective way of delivering the provision?

### iii. The school's SEN policy

You should know your school's policy on SEN and make sure it is reviewed regularly. Regular reviews are vital to ensure that the SEN provision reflects the changing needs of the school community and takes account of any changes in the school's circumstances and the law.

The Governors' Annual Report to Parents should comment on the effectiveness of the school's SEN policy and any changes to it. Your head teacher and ALNCO might welcome your assistance in drafting the SEN section of this report.

#### The SEN link governor should also:

- be informed about SEN systems and practices in the school;
- help to raise awareness of SEN issues at governing body meetings;

- ensure that all SEN pupils have access to a broad and balanced curriculum;
- give up-to-date information to the governing body on SEN provision within the school;
- ensure that the school has regard to the SEN Code of Practice;
- visit the school to see SEN provision;
- build a trusting and supportive relationship with the Additional Learning Needs Co-ordinator (ALNCO)

## 5. How to get started:

- Arrange to meet with the Head Teacher and the ALNCO to find out about SEN provision in the school;
- Ask for a copy of the school's SEN policy and the SEN Code of Practice;
- Make sure that you understand how the school identifies a pupil with SEN;
- Find out information on the school's links with external agencies such as health, social services and voluntary agencies;

- Attend governor training on SEN issues;
- Report back regularly to the governing body, making recommendations where appropriate, either via a governors' committee or to full governing body meetings.

### Further information that you will need:

- Find out how many pupils in your school have SEN;
- Find out how many pupils are at School Action, School Action Plus or have statements of SEN;
- You should know how many staff have a particular role in SEN.

You should ask for a copy of the school's SEN policy and read it through.

### You might ask:

- Who is involved in reviewing the SEN policy?
- Does the policy reflect and meet the needs of the pupils?

- What does it say about supporting pupils in their transfer to and from other schools?
- When was the policy last reviewed and when will it be reviewed next?

## 6. Who's who – The roles of key people in SEN provision

**Chair of governors:** ensures that the governing body conducts its affairs properly and makes sure that all members have the opportunity to contribute to discussion and decision making.

**Educational Psychologist (EP):** an employee of the LA who works with schools and parents to assess a pupil's special educational needs and helps plan future provision.

**Advisory/Specialist teachers:** an employee of the LA who works with schools and parents to assess and support schools in providing intervention and support.

**Learning Support Assistant (LSA):** a teaching assistant who provides support to pupils with SEN and/or disabilities and/or supports their teachers.



**Parent:** this includes any person who has parental or caring responsibility for a pupil.

**ALN Co-ordinator (ALNCO):** a designated teacher with responsibility for day-to-day co-ordination of SEN arrangements within a school or early education setting.

**SEN Governor:** most governing bodies appoint a governor or committee to have specific oversight over arrangements for SEN.

You might also find it useful to look at the roles and responsibilities **p10-11 of the SEN Code**, which covers maintained mainstream schools, maintained special schools and early education settings.

## 7. Helpful suggestions

It is impossible to give a definitive checklist of all actions an SEN Governor should take each term. As a minimum, you should:

- attend governing body meetings
- take a central role in discussions about SEN
- Visit the school as often as you need to in order to remain fully informed.

What follows is a list of ideas, drawn from good practice, which you may find useful. There is also a list of questions that you could ask to help you find out important

information about your school. Most of these suggestions apply to both mainstream and special schools.

As you get more involved in SEN, and become more experienced, it is important not to become 'over professional' and lose your lay person's perspective. A vital part of your role is to make sure that SEN issues are not marginalised, but are considered as a core part of decisions made within the school.

### Suggested reading

- the school's SEN policy
- the school's development plan
- the school's most recent Annual Report to Parents
- the SEN Code of Practice
- the SEN Code of Practice, Guide for Parents and Carers
- Pembrokeshire termly Inclusion Newsletter
- the Pembrokeshire Local Authority website for Inclusion
- the Inclusion Service ALN Data Analysis and Commentary Pack for schools.
- Checklist for SEN governors to evaluate SEN school provision

### Keeping in touch with the school

- Arrange with the head teacher/ALNCO to spend time in school – a day or half a day – observing class/group work, to understand how the school organises and delivers SEN provision
- Set up a regular meeting with the ALNCO to discuss current issues
- Have informal chats with the head teacher, teaching staff and learning support staff whenever the opportunity arises.
- Be accessible – go to social evenings to meet parents, pupils and staff.

## Useful questions

### You should know:

- How many pupils in your school have SEN
- How many pupils are at School Action, School Action Plus or have statements of special educational needs
- How many staff have a particular role in relation to SEN
- How much money the school gets for pupils with SEN and how it is spent.

### You could ask:

- What is the range of SEN in your school?
- Who in the school does LA inform when a pupil has SEN and who, in turn, informs the staff?
- Who is responsible for telling parents that a pupil has SEN and about the provision made for them?

- What special facilities does the school have for particular needs?
- What does the LA provide at School Action Plus? (See also the LA Inclusion website for further information).
- How has the school planned for the inclusion of disabled pupils?
- How does the school's SEN policy link with its other policies, such as those social, emotional and behaviour?
- What SEN training is available for the school staff, and does it meet their needs?

## Taking part in training

### If your time allows:

- ask to be involved in some school training relating to SEN
- attend LA training for SEN Governors
- Find out when the LA has meetings for ALNCOs – and, if appropriate, ask if you can go along to one with your ALNCO.

## Getting a wider perspective

**It may be useful to find out about your school's links with:**

- other local schools in relation to pupils with SEN
- the LA and its SEN support services
- external agencies such as health, social services and voluntary agencies
- The parent partnership service (see the Inclusion website and the section marked Parent Partnership Services).

## Important words and phrases for SEN Governors

As in any specialist area, there are a number of key words and phrases used by people when talking about SEN for example:

- Individual Education Plan (IEP) and Group Education Plan
- School Action
- School Action Plus
- Statement of SEN

- Transition Plan

You can find out what they mean by looking in the glossary of the SEN Code of Practice (p143-149) and the Guide for Parents and Carers (p39-41). If you come across other terms you don't understand – don't be afraid to ask.

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