**Study Guide**

**SEND Code of Practice**

The Special Education Needs and Disability (SEND) Code of Practice (2014) acts as statutory guidance to ensure that the special needs student’s rights are protected and they fully attain the opportunity to gain education and self-development. The SEND code is mainly directed towards local authorities, education establishments and health organisations who design education curriculums, regulations and policies for these students.

The SEND Code addresses 4 main areas of emphasis that needs to be addressed when managing these students:

1. **Communication and Interaction**

   Encourage students to interact with others using a universal language and to understand the social rules of communication.

2. **Cognition and Learning**
Observe students learning ability which ranges from mild to severe learning disability and assists in poor memory and organisation issues.

3. Social, emotional and mental health difficulties

Managing difficulties in interacting with peers and family members, throws tantrums and manifests withdrawn, isolated, depressive, anxious, self-harm and many other debilitating issues.

4. Sensory/or physical needs

Provision of assistive aids such as hearing equipment, assistive equipment such as walking stick, Braille codes etc. that makes learning easier.

Learn How the SEND Tribunal, Disagreement Resolution and Mediation Work

In the context where there is a disagreement between the parties involved in the child’s education and the caretaker of the child, disagreement resolution and mediation are referred. Though resolution disagreements and mediation are used interchangeably, they actually address different issues. Mediation is specifically linked to disagreements on decisions about education, health and care need assessments and education and health and care (EHC) plans. On the other hand, disagreement resolution services can be used to try to resolve other issues related to your child’s special educational needs (SEN).

An elaborate description of disagreement resolution and mediation is as below:

Disagreement Resolution

Disagreement Resolutions are a legal procedure provided by local authorities to resolve disagreements and disputes. A discussion is usually done with local authorities, education establishments and caretakers of students. A resolution will usually employ a facilitator who should have no ties or vested interests with any of the parties involved, knowledgeable in SEN legislation and is fair to both parties.

Disagreement resolutions can help to resolve two types of disputes between you and the parties involved:

1. The method as to how the education curriculum or teaching is delivered to the student
2. Special education provision made such as equipment, furniture and tools made to assist disabilities

Mediation Services

Mediation services can be conducted over the phone or face to face with the local authority and parties involved with the child’s education. These meetings are confidential and should an agreement be drawn; a certificate will be issued within three working days to acknowledge that the mediation has concluded.
Should there still be disagreements even despite attending the mediation, an appeal can be placed at the First-Tier Tribunal. Should parties involved decide not to mediate at all, a certificate will be issued within three working days acknowledging that both parties agree with the decree issued. Should parties involved decide to appeal, they need to submit the certificate to the tribunal court.

In the context, where no mutual agreement can be drawn, the decision can be brought to the First-Tier (SEND) tribunal. This tribunal is an independent tribunal and functions to address the disagreements faced by parents towards the local authorities with regards to the special education needs of their children.

**SEND Tribunal: If you’re asked to be a witness**

At the SEND tribunal, evidence will be presented and the judge will determine if the law and SEND code has been adhered to. To present the findings and evidence, witnesses are summoned. Witnesses are to provide truthful and honest statements of the happenings. A witness can claim for travelling expenses from the tribunal and loss of earnings from their employer for attending the tribunal.

On the other hand, an expert witness is one that has special knowledge about the case and they can be summoned to share information, knowledge and write reports regarding the case findings.

**Learn about the Local Offer**
For guardians, parents or anybody who is sceptical with the education, teaching methods or upbringing of children with special needs, they can always approach the local offer as it offers information and guidance on services and activities for those with SEN. They can also enquire about the different agencies or bodies that offer these services and activities and get in touch with them. The local offer also provides consultation on the rights of those with special needs.

Get an Idea about the OfSTED Frameworks relevant to your school or work setting

The Office for Standards in Education, Children's Services and Skills (Ofsted) audits all special needs school to determine if they are providing sufficiently for the development and education of the SEN students in the United Kingdom (UK). This is carried out by analysing the curriculum and sitting in class to observe the teaching, lessons and the quality of homework provided to the students.

Learn about the new funding models for SEN

Funding is important to achieve the goals set by the SEN curriculum. SEN funding comes from the central government and is allocated to the Education Funding agency and these funds will be further allocated to the SEN schools to meet the needs and requirements of the students. However, the budget allocated for these schools is based on 3 different criteria’s:

1. Age Weighted Pupil Unit (AWPU) where budget is determined according to the number of students studying in the school per time.
2. Budget is based on a formula and schools that get higher budget are those that provide social services (free meals) and suffer from poor student’s performance (poor in Maths and Science).
3. Schools that need the very expensive provision of equipment like rehabilitation support may request higher budgets allocation.

Get an understanding of the policy and legislative context for health and social care, including safeguarding and the health and well-being agenda

To provide greater support for these students as well as greater legal protection, the Equality Act (2010) was drawn. Under this Act, SEN students should be given equal opportunities and to be protected from discrimination in the field of education, employment, health and exercise of public functions. The responsibilities of educators, employers and service providers towards these students are also highlighted in this Act. The parties mentioned are to make due adjustments to ensure SEN students partake in their education, exercise their rights and are employable (for fit ones). Some of the contributions that can be provided by caretakers, guardians of students, health professionals such as psychologists, physiotherapists and occupational therapists and relevant organisations in terms of enhancing learning ability and skill developments are also highlighted in this Act.