



SEND and Inclusion

Policy and Procedures 2022-23

Head of Student Entitlement

Publication Date: January 2021

Review Date: August 2023: Version 1.0

1. Purpose

- 1.1 City of Wolverhampton College is committed to advancing equality of opportunity between different groups. The College recognises its duty to ensure fair and equitable treatment of all students and apprentices by promoting access for those with special education needs, disabilities, and medical conditions providing additional support and where necessary to make reasonable adjustments in line with the Children and Families Act 2014, the SEND Code of Practice 2014 and the Equality Act 2010.
- 1.2 The College also considers and anticipates the needs of potential students and apprentices when formulating its policies and procedures and in the design, development and maintenance of its facilities.
- 1.3 The purpose of this policy and procedure is to ensure fair and equitable treatment of all students and apprentices by promoting access for those with special education needs or disabilities within an inclusive learning environment and providing a range of suitable services and strategies.

2. Policy

- 2.1 The College is inclusive and is passionate about supporting students and apprentices to reach their full potential. It is unlawful for the College to treat students or apprentices who have a disability, less favourably for a reason connected with their disability unless it can be legally justified.
- 2.2 The College has a duty to make reasonable adjustments to ensure that individuals with an education need or disability have access to education and are not placed at a substantial disadvantage compared to those who do not.

3. Definition of 'disability' under the Equality Act 2010

- 3.1 The Equality Act 2010 defines a disabled person as someone who has a physical or mental impairment that has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities.
- 3.2 For the purpose of the Act, 'Substantial' and 'long-term' mean:
 - 'Substantial' *is more than minor or trivial* e.g. it takes much longer than it usually would to complete a daily task like getting dressed
 - 'Long-term' *means 12 months or more* e.g. a breathing condition that develops as a result of a lung infection
- 3.3 For more details please, refer to the ['Equality Act Guidance'](#)

- 3.4 The College is committed to meet the needs of individuals by providing appropriate and relevant learning programmes with relevantly differentiated teaching and learning.
- 3.5 Support is used to enable the College to make reasonable adaptations to learning in order that the student or apprentice are enrolled on relevant and suitable programmes and can be successful.

4. Responsibility

- 4.1 The Deputy Principal Student Engagement has overall responsibility for the policy and procedure.
- 4.2 The Head of Student Entitlement has a responsibility for implementation and the SEND and Inclusion Managers have operational responsibility.

5. Procedure

- 5.1 The College's will:
- Support Government strategies for widening participation.
 - Provide an appropriate opportunity for students or apprentices to declare their disability at application, enrolment and through the tutorial process.
 - Provide an assessment of needs interview and impartial guidance where required.
 - Provide opportunities to participate in College life with appropriate support where required.
 - Make reasonable adjustments to enable full participation.
 - Provide support appropriate to programme needs within limitations.
 - Provide support appropriate to the achievement of exam requirements within the boundaries set by examining boards.
 - Providing opportunities to review support needs on a regular basis with an opportunity for progression guidance.
 - Monitor and evaluate the quality of provision for students and apprentices with special education needs or disabilities.

6. Referrals and Assessment

- 6.1 The College will carry out those assessments it is able and qualified to undertake which will inform the planning process.

6.1.1 SEND Application process

Students or apprentices can apply for learning support assessment in a variety of ways:

1. Prior to starting College through the on-line enquiry form via the College website.
2. During the admissions/interview.
3. During the enrolment period.
4. At any stage during the year.

6.1.2 SEND Assessment process

1. A SEND and Inclusion Coordinator will make contact to book an appointment for assessment – to include initial questioning to check the individual does not have an Education and Health Care Plan.
2. The Learning Support Assessment is completed to inform any adaptations in access arrangements and differentiated planning as required by the individual. Choosing strategies will encourage independence and allow an inclusive environment in the classroom.
3. Support plans will be reviewed throughout the year to highlight any areas for concern or the need for further intervention.

6.1.3 Exam Access Arrangements Process

1. Either the student or apprentices declares a prior exam access arrangement or a tutor makes a referral on their behalf
2. The individual is then contacted to book an appointment for an assessment.
3. The assessment takes place, and if the individual is eligible for exam access arrangements a Form 8 is completed and sent to Exams.
4. Exams then process the Form 8 through the awarding body and await a decision.
5. If Exam Access Arrangements are granted, then these are recorded on ProMonitor and Exams plan within the planning for all exams across College.
6. The SEND and Inclusion managers are responsible for ensuring that all staff providing additional support for exams have the correct training following guidance from the awarding bodies.

6.1.4. Education Health Care Plan (EHCP) Process

1. EHCP consultations are sent to the College from the relevant Local Authority via secure means.
2. SEND and Inclusion managers will arrange a meeting with the student or apprentices, and chosen curriculum area within 15 days of receiving the consultation.
3. SEND and Inclusion managers and curriculum leads will jointly decide whether the needs of the individual can be met. This response will be communicated to the individual and the appropriate Local Authority within 15 days of the original consultation period.

7. Funding

- 7.1 The rules which govern funding for 19+ are made by the Skills Funding Agency as a result of the application of Government policy or legislation. Students with EHCP have funding allocated via the Local Authority and this is agreed with the institution based on individual needs.
- 7.2 Any student or apprentice with a disability can apply for additional support where required, however, the College will need to ensure that they are eligible within those rules.
- 7.3 Students on Further Education programmes are funded differently to those on Higher Education programmes. The funding for students who require additional support in FE goes directly to the FE institution whereas the funding for students on HE programmes goes to the individual as a Disabled Students Allowance.
- 7.4 Students and apprentices have access to advice and guidance related to their eligibility for funding and services. Students will have access to support at the application stage for funding on HE programmes if this is required.

8. Reasonable Adjustments

- 8.1 The College has a commitment to make reasonable adjustments for students or apprentices within certain boundaries.
- 8.2 The following factors may be taken into account when considering what is reasonable:
- The need to maintain academic and other prescribed standards.
 - The financial resources available to the College.
 - Grants or loans likely to be available to the student or apprentices such as Disabled Students' Allowances.
 - The cost of taking a particular step to adjust.
 - The extent to which it is practical to take a particular step to adjust.
 - The extent to which aids or services will otherwise be provided to the individual
 - Health and Safety requirements.
 - The relevant interests of other people including other students or apprentices.
 - Approval by the Executive Management Team (EMT).

9. Data Protection and Confidentiality

- 9.1 The College recognises the importance of confidentiality and the requirements of the General Data Protection Regulation (GDPR) 2018.

- 9.2 The College undertakes to maintain student and apprentice's data in secure conditions and to process and disclose data only within the terms of the General Data Protection Regulation.
- 9.3 Should the individual request confidentiality under the Disability Discrimination Act, information may not from that point, be passed on for the purposes of making reasonable adjustments.
- 9.4 Students and apprentices will be asked to identify any previous history of support and to confirm whether or not they require continued support at College.
- 9.5 Where possible, students and apprentices will be directly involved in discussion related to both internal and external services.
- 9.6 Students or apprentices are encouraged to give permission for information to be shared with key professionals who are working on their behalf both internally and externally, to ensure that suitable services can be put in place.
- 9.7 Where individuals expressly choose not to allow information to be shared, their request will be respected, but it will be explained that this may have an impact on access to resources, services and learning outcomes.
- 9.8 Where individuals choose not to declare their disability at application and enrolment, there may be a delay in the provision of support needs.

Appendix A

There is no instances whereby a student should be touched by a member of staff UNLESS

1. A specific strategy/strategies (however minor) which involve touching a student has been provided by a student's previous provider and therefore appears within the students support profile and shared with relevant staff in place to support the student
2. Where the above is not in place, a strategy is provided (for a current student) by a professional (such as an EP) to indicate that such measures are right and proper in supporting a student.
3. Whereby conditions 1 and 2 can't be satisfied for a particular student, a strategy is agreed with an SEND and Inclusion Manager prior to being used by a member of staff.

Such strategies are to be identified in a risk assessment directly assigned with the particular student and that this RA is signed by all trained SSWs and Tutors working with the YP along with a managers signature to agree.

In all instances of 1/2/3 a health and safety incident report is ONLY required whereby a trained member of staff is using a physical intervention strategy to de-escalate behaviours in a young person whereby the student, another student or a member of staff is considered directly at risk of harm or has been harmed. Otherwise a report is not required when touching a student assuming 1,2 or 3 is in place.

4. A Specialist Support staff member or suitably trained member of staff is supporting a student with personal care needs (A H+S incident report is not required in this instance)
5. A trained Health and Safety First Aider is supporting a student during a health and safety incident (such as a medical emergency)
6. A Evacuation chair trained member of staff is supporting a student to use fire safety escape equipment such as an evac chair and therefore requires physical handling to do so
7. Other instances of physical restraint:
According to the Education and Inspections Act 2006 (section 165) 'a member of the staff of an institution which is within the further education sector may use such force as is reasonable in the circumstances for the purpose of preventing a student at the institution from doing (or continuing to do) any of the following, namely; · Committing any offence; · Causing personal injury to, or damage to the property of, any person (including the student themselves); or · Prejudicing the maintenance of good order and discipline at the institution or among any of its students, whether during a teaching session or otherwise.'

In this instance a health and safety incident report is required.