



**LINCOLN COLLEGE**

**SPECIAL EDUCATIONAL NEEDS and/or  
DISABILITY POLICY**

**POLICY CQ/PO/7**

**SPONSOR**

**HEAD of Student Services**

## **Equality and Diversity Statement**

Lincoln College strives to treat all its members and visitors fairly and aims to eliminate unjustifiable discrimination on the grounds of gender, race, nationality, ethnic or national origin, political beliefs or practices, disability, marital status, family circumstances, sexual orientation, spent criminal convictions, age or any other inappropriate grounds.

# LINCOLN COLLEGE

## SPECIAL EDUCATIONAL NEEDS and/or DISABILITY POLICY

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# **LINCOLN COLLEGE**

## **SPECIAL EDUCATIONAL NEEDS and/or DISABILITY POLICY**

### **1 PURPOSE**

- 1.1 This policy states the responsibilities of Lincoln College in relation to students with a known Special Educational Need and/or Disability (SEND). These students may have additional learning difficulties and/or other medical, mental or physical impairments that may put them at an unfair disadvantage in an academic environment.

### **2 AIM**

- 2.1 The policy sets out how Lincoln College will identify, support and make provision for students with SEND. Lincoln College will provide students with support, advice and guidance to enable those with SEND to overcome barriers that may otherwise impede their academic achievement. It outlines the processes for gathering information and evidence about a student's SEND and how the College makes reasonable adjustments to support students with a recognised SEND, in line with The Equality Act 2010, throughout their studies. The policy also determines its limitations and the responsibility that is placed on students and their families with regards to disclosure and providing evidence.

### **3 INTRODUCTION**

- 3.1 Lincoln College is an inclusive teaching and learning environment, providing courses and support for students with a range of SEND across a diverse curriculum, and at varying levels of study. In addition, there is a range of courses designed specifically for students with SEND in the Supported Education department. Lincoln College has a commitment to maximising the potential of all students through outstanding teaching, learning and training. The commitment to supporting students with SEND sits firmly within the College Strategic Plan as part of the College's ambition to "Achieve Excellence in Education and Training".

- 3.2 This policy should be read in conjunction with the following documents:

- Learner Conduct Policy
- Admissions Policy
- Safeguarding Policy
- Mental Health Policy
- Customer Complaints and Grievance Policy

- 3.3 Lincoln College's objectives for students with SEND:

- To identify inclusion needs prior to students beginning a study programme.
- To focus on developing independent study.
- To ensure that students with an Education Health and Care Plan (EHCP) have their needs met, and the outcomes set within their EHCP are appropriate and created with transition to adulthood in mind.

- To ensure students with SEND have the opportunity to join in with all activities.
- To ensure that all students make the best possible progress.
- To ensure that the college communicates effectively with parents/carers, and that they are informed about their young person's learning differences.
- To ensure that students express their views and are fully involved in decisions which effect their support.
- To provide equal access to a broad and balanced curriculum, regardless of gender, religion, race, sexual orientation, personal circumstances, disability or special educational needs.
- Deliver training to curriculum areas to successfully support students within lessons and throughout their learning programme.
- To promote effective partnerships and involve external agencies when appropriate.

#### 3.4 This Policy seeks:

- To define SEND.
- To outline the support that is available to students who disclose SEND and the processes involved.
- To enable staff to identify the limits to the support which they can provide and the appropriateness of referring the student onto other agencies.
- To signpost staff towards access for appropriate support.
- To identify and implement reasonable adjustments where appropriate (e.g. reduced timetable, flexibility in attendance, tailored programmes).
- To ensure appropriate support for students affected by, or involved in, the interactions with other students in the aforementioned circumstances.
- To consider the lawful application of temporary suspension or permanent exclusion and the justification for such an action.

## 4 DEFINITIONS

4.1 For the purpose of this policy, and with regard to the SEND Code of Practice, a set of definitions will be used.

4.1.1 Definition of SEND: A child or young person has SEND if they have a learning difficulty or disability which calls for special educational provision to be made for them.

4.1.2 A child of compulsory school age or a young person has a learning difficulty or disability if they:

- Have significantly greater difficulty in learning than the majority of others the same age, or;
- Has a disability which prevents or hinders themselves from making use of facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions.

- Special educational provision is education or training provision that is additional to, or different from, that made generally for other children or young people of the same age by mainstream schools.

4.1.3 Learning difficulties can fall into one or more of the following categories:

- Speech, Language and Communication Needs
- Behavioural, Emotional and Social Development
- Moderate Learning Difficulties
- Severe Learning Difficulties
- Autistic Spectrum Disorder
- Sensory Impairments
- Medical Conditions

## **5 LEGISLATION AND GUIDANCE**

5.1 The framework for the SEND policy is provided by:

- The UN Convention on Rights of the Child
- The Equality Act 2010
- Part 3 of the Children and Families Act 2014, which sets out colleges' responsibilities for young people with SEND.
- The Special Educational Needs and Disability Regulations 2014 which set out colleges' responsibilities for Education, Health and Care Plans (EHCPs).
- The Special Educational Needs and Disability (SEND) Code of Practice (2015).
- The SEND policy also links with key policies within Lincoln College, such as The Equality and Diversity Policy the Mental Health policy, Admissions Policy, Safeguarding policy, and Welfare policy for finances.

## **6 SUPPORTING STUDENTS**

6.1 In accordance with the Disability Discrimination Act (DDA) and the Equality and Diversity Policy, Lincoln College has a duty to anticipate needs wherever possible, to make reasonable adjustments accordingly, and to treat all students equally. Information on a disability cannot be passed on to third parties without explicit consent from the student. If a student requests complete confidentiality then information cannot be passed within Lincoln College using internal systems or to external agencies from that point. It is acknowledged that where a student has disclosed a disability, Lincoln College is deemed to be aware of this and will arrange to assess their individual needs. If the student does not give permission for details to be shared, this can impact the support that is available and reasonable adjustments that can be made.

6.2 Lincoln College offers support at all College sites: Lincoln College main campus; Newark College; Christ's Hospital Terrace; Rand Farm; Caistor Equestrian Centre; Queen's Park; and any other location associated with the college.

The college offers additional support for Further Education (FE) students through Disadvantage Funding and High Cost Funding, and support for Higher Education (HE) students through the Disabled Students Allowance (DSA). Students with SEND are represented across all areas and programmes and range from Entry Level to Graduate. The Assessment and Support Team offers support to those identified with learning difficulties and disabilities which are evidenced through a Support Needs Assessment and a SEND Profile, produced by the Assessment and Support Co-ordinators.

- 6.3 Apprentices are offered a CognAssist assessment as a screening tool, which could lead to a Support Needs Assessment and a SEND Profile being created to outline reasonable adjustments. With permission from the apprentice, this information is then shared both with the relevant academic area, the assessor(s) from the Employer Provision team, and also the employer.
- 6.4 The Assessment and Support Co-ordinators organise and chair EHCP reviews, complete Support Needs Assessments for those students who declare any form of SEND, and produce a SEND Profile. This SEND Profile will contain the following sections:
- “Brief Overview” - of the student’s support needs.
  - “Student Responsibilities” – what is expected from the student.
  - “Tutor Recommendations” – how the tutor can assist the student and help to meet their educational goals.
  - “Student Services” – how Student Services can help support the student.
  - “Exam Support” – any exam concessions received in the past and concessions for which a new application is required.
- 6.5 The SEND Profile is shared within the curriculum area and acts as a guide to help support the student through their time at College. It also indicates if the student needs a Risk Assessment or Personal Emergency Evacuation Plan (PEEP), and provides evidence of the student’s permission to share sensitive information with staff at the College. Please see Appendix One for the process.
- 6.6 The Assessment and Support Team and Transitions Officer offer bespoke tours and enrolment arrangements to suit individual student needs. Support provided can be in class, out of class, with exams and assessments, and in the wider College environment. The support is discussed and agreed with the student and is designed to give the student the chance to access all available opportunities and to have the most positive learning experience whilst studying at Lincoln College.
- 6.7 The College works in partnership with curriculum staff, other internal services and external organisations to provide a person-centred approach. All students can benefit from having independent advice and guidance from one of the College’s trained advisors at any part of their journey. The support offered is regularly reviewed and the aim, where possible, is to guide individuals towards greater levels of independence. The College is part of the Lincolnshire Local Offer and the

Nottinghamshire Local Offer, and supports students with a variety of additional learning needs, including:

- Dyslexia, Dyscalculia, Dysgraphia and Dyspraxia
- Sensory Impairment
- Autistic Spectrum Conditions
- Physical Disabilities and Medical Conditions
- Mental Health Issues and Social and Emotional Issues
- Attention Deficit Hyperactivity Disorder (ADHD)
- Profound and Multiple Learning Difficulties
- Mild, Moderate and Severe Learning Difficulties

6.8 Through the support and reasonable adjustments made by the Assessment and Support Team (Appendix Two) students are able to integrate into the main College curriculum. Students have access to specialist technologies to ensure they have the opportunity to access learning, such as coloured overlays, reader pens, and dictaphones. For those students with more pronounced learning difficulties, or have had negative experiences in previous educational settings, who may have emotional, behavioural or social issues, and are learning at Level 1 and below, the College offers a specialist provision delivered within Supported Education. This curriculum offer is a valuable progression route for students to progress into further learning, independent living, and employment.

6.9 To ensure Lincoln College meets individual needs and requirements for students, it will:

- Meet with students to discuss their needs which leads to creating a SEND Profile.
- If a student has an EHCP, assist with transitioning into College, from course to course, and out of College.
- Attend EHCP meetings and reviews (if applicable).
- Liaise on a regular basis with academic staff to share the relevant information and provide updates regarding student support.
- Support academic staff with information and training about specific learning difficulties and disabilities.
- Arrange exam concessions and assessments with the specialist teaching team.
- Review the support students receive on a regular basis.
- Discuss and agree any changes that will be made to support with students.
- Promote independence for life skills and getting ready for the world of work.
- Provide students with both academic and pastoral support.
- Act in an inclusive and person-centred way at all times.

6.10 Students already open to the Safeguarding Team are identified as such on the Pro Solution suite which generates a report to the Safeguarding Single Point of Contact detailing the attendance of those students. Any student showing as an unauthorised absence is contacted by the Safeguarding Team to ascertain the circumstances of the absence and deal with as appropriate.



## 7 ADMISSION TO COLLEGE

- 7.1 Once an application form has been completed by a student and a declaration of SEND made, a questionnaire is automatically emailed to them. The questionnaire is to establish further details on the student's needs and to gain more specific information. This information will help the Assessment and Support Co-ordinators prioritise the student into a "High", "Medium" or "Low" category and will determine how quickly the student will need to be seen for a Support Needs Assessment or if a SEND profile can be created with the information on the questionnaire.
- 7.2 The Assessment and Support Co-ordinator will invite the student to complete a Support Needs Assessment, either face to face, during a telephone appointment or over TEAMS. Together they will have a discussion around support needs, what support has been in place in the past, and what will be available to them when studying at Lincoln College. A SEND profile will be devised and both the Assessment and Support Co-ordinator and student will agree to the support, and for the information discussed to be shared to relevant staff at the College. The Support Needs Assessment can be reviewed at any point throughout the academic year, along with the SEND profile. Students can also make self-referrals at any time throughout this process, and this can be directly to the SEND team or through staff in their academic area.
- 7.3 Students with EHCPs will be invited in to discuss their needs before commencing studying at the College. Once the College has been consulted with and named in the plan, the Transitions Officer will invite the students in to formulate a transitions plan. The Transitions Officer will continue to work with parents, carers, schools and other professionals to ensure planning is in place for both transitioning students in and out of College.
- 7.4 The College recognises that for certain courses there is a need to ensure that students are emotionally and physically able to undertake all aspects of the programme of study and relevant work placement with reasonable adjustments in place.
- 7.5 The College will take every reasonable step to ensure that students with SEND are supported. However, in so doing, the College must also consider its duty of care in relation to Health and Safety and Safeguarding of students, staff and visitors.
- 7.6 If a member of staff has concerns that by allowing an applicant to undertake a programme of study it may have a detrimental effect on either them and/or others, then a referral will be made to the Learning Skills Lead, and the SEND Team Leader / Head of Student Services. A decision will then be made whether to continue with the application or to refer the case to the Strategic Safeguarding panel. The process for the panel can be found in the College's Safeguarding policy.

## **8 DISRUPTIVE BEHAVIOUR OR BEHAVIOUR OTHERWISE GIVING CAUSE FOR SERIOUS CONCERN**

- 8.1 If a student displays behaviour that is seen as causing immediate and serious concern or continuous poor behaviour, the learner conduct procedure will be followed. For learners with SEND, an appropriate member of the Assessment and Support Team or the SEND Team Leader will be included in any learner conduct meetings to ensure that the SEND profile process for the learner conduct procedures can be found in the learner conduct policy.

## **9 RETURN TO STUDY**

- 9.1 Following any period of absence from the College for recuperation and/or treatment, it may be appropriate for the student to return/resume studies.
- 9.2 It will be necessary to ensure that the student is assisted by the course team, Learning Skills Lead in conjunction with advice from the SEND Manager and a Mental Health Co-ordinator (or their nominee) in their return to the College.
- 9.3 The College will require the student to produce appropriate confirmation of their health and ability to resume studying. If a student has taken a leave of absence from the College due to illness, mental health difficulties, disabilities or a medical condition, they will need a formal assessment by an appropriate medical practitioner or other health professional before returning to study. The Learning Skills Lead, and the Safeguarding and SEND Team Leaders (or their nominee) will support the student to access an appropriate referral. An agreed 'Return to Study Plan' will be devised in consultation with the student, the Learning Skills Lead, Safeguarding and SEND Team Leaders (or their nominee), Progress Coach and their course tutor. This will address:
- The specific study-related support needs of the student in returning to education.
  - The support which is reasonably required in the short term.
  - The involvement of and the liaison with external agencies.
  - Any longer-term support or adjustments that are reasonably required and any conditions that might or will apply to provision.
- 9.4 The Return to Study Plan should incorporate a Risk Management or Safety Plan that considers the experiences that led to the student's initial absence from their course and any other information that is known to be relevant. The student will be offered a Support Needs Assessment or a review of the one they have currently in place. Any return to study will be subject to the student's co-operation with this process and full adherence to any agreements made.
- 9.5 Other members of staff within the Student Services team will be available to provide advice and support to facilitate the student's transition back onto the course, particularly in relation to any action that might be required under the Equality Act 2010.

- 9.6 When return to study is not deemed to be an option, the student will be advised in writing that this decision will be referred to the Strategic Safeguarding Panel.

## **10 DATA PROTECTION (GDPR)**

- 10.1 All College staff are governed by the requirements of the Data Protection Act 2018 and the General Data Protection Regulation (GDPR). Under these acts, all data relating to a person's physical or mental health is regarded as sensitive, personal data. In general, all personal data of a sensitive nature given to a member of staff by a student should be treated as confidential and should only be disclosed with the student's consent.
- 10.2 For the purpose of this Policy, sensitive data is deemed to be information given in confidence concerning, for example, a student's ill-health or disability, including mental health illness.

## **11 CONFIDENTIALITY**

- 11.1 In all cases where, in the member of staff's judgement, it would be in the student's best interests to disclose sensitive information (e.g. so that appropriate support may be provided), the student's informed consent should be obtained where possible. It will be necessary to inform the student why there might be a need to disclose sensitive information, who will have access to this information and the likely consequences of giving or withholding consent. Once consent has been obtained, it is the responsibility of the person passing on the information to ensure it is done on the terms agreed with the student.
- 11.2 If the student chooses not to provide their consent, this decision should be respected. In this scenario, the implications of non-disclosure in terms of additional support should be made clear. However, on the rare occasions when the student's consent is withheld or it is impracticable to try to obtain it, confidentiality may be broken. These include:
- When the student's mental health has deteriorated to the extent of threatening their personal safety.
  - When the student is at risk of serious abuse or exploitation.
  - When the student's behaviour is adversely affecting the rights and safety of others.
  - Where the member of staff would be liable to civil or criminal procedure if the information were not disclosed (e.g. if a crime had been committed).
- 11.3 Staff should consult with the appropriate Assistant Principal or Head of Student Services if they believe there is a need to break the commitment to confidentiality. Initial discussion should not identify the student until the grounds for breaking confidentiality have been established and agreed upon.

## **12 HEALTH AND SAFETY IMPLICATIONS**

12.1 There may be circumstances where there appears to be a conflict between ability to study and the health and safety of employees and students. All cases will be dealt with on an individual basis.

## **13 COMPLAINTS AND FURTHER SUPPORT**

13.1 Lincoln College prides itself on delivering first class customer service at all times. However, the college also recognises that sometimes things may not meet these high standards. Student services can assist SEND learners by supporting parents/carers and students through any complaint. The priority is to work together to resolve any issues which have arisen. More information on the complaints procedure can be found in the college's Customer Complaints and Grievance Policy.

13.2 You may wish to find out more about the services and support that you might benefit from, not just what the College provides, but also what the local authority is doing to ensure that the college is compliant with the SEND reforms. The Local Offer brings together information for children and young people with special educational needs and disabilities and their families. More information can be found by visiting the Lincolnshire County Councils website and Liaise.

## **14 APPEALS**

14.1 All appeals should be made in writing to the Lincoln College Appeals Panel detailing reason for appeal. All appeals must be received within 10 working days of receipt of the written confirmation of complaint and follow the procedure noted in the College Appeals Panel Policy and Procedure (Policy CQ/PO/26), which can be obtained by contacting [quality@lincolncollege.ac.uk](mailto:quality@lincolncollege.ac.uk).

## Appendix One

### Assessment and Support at Lincoln College Process for application received for a SEND learner



