



THE MERCIAN TRUST

Increasing Opportunities | Improving Outcomes

Special Educational Needs and Disabilities (SEND) Policy

Policy Owner	The Mercian Trust — Standards and Effectiveness Committee
Responsibility	Director of SEND
Effective from	October 2026
Review Date	November 2027 <i>(or earlier if legislation changes)</i>
Legislation	• Children and Families Act 2014 (Part 3 and section 100) • Special Educational Needs and Disability Regulations 2014 • Special Educational Needs (Personal Budgets) Regulations 2014 • Equality Act 2010 • SEND Code of Practice: 0 to 25 years (DfE and DHSC, January 2015) • Supporting pupils at school with medical conditions (DfE statutory guidance) • Inclusive Mainstream Fund: conditions of grant and guidance 2026 to 2027 (DfE)
Changes since the last update	• Policy fully revised • Governance, roles and reporting routes aligned to the Trust Scheme of Delegation 2026/2027 • Legal references corrected and updated • New sections added on roles and responsibilities, published information and local arrangements, the 2026 SEND reforms, assurance and escalation, and concerns and complaints • Inclusion strategy requirement added

This policy replaces all previous versions.

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1. Definitions

- 1.1 "Trust" means The Mercian Trust.
- 1.2 "Board" means the Board of Trustees, which is accountable for all Trust schools.
- 1.3 "SEC" means the Standards and Effectiveness Committee, the Trustee committee that oversees SEND statutory performance on behalf of the Board.
- 1.4 "School" means any school within the Trust. Where a requirement applies only to mainstream schools, alternative provision (AP) schools or special schools, the policy says so.
- 1.5 "LGB" means the Local Governing Body of a school.
- 1.6 "SEND Champion" means the local governor on each LGB who champions the experience of pupils with SEND and their families.
- 1.7 "Director of SEND" means the Trust leader responsible for the Trust SEND service and for this policy.
- 1.8 "SENCO" means the Special Educational Needs Co-Ordinator designated by a school.
- 1.9 "SEN" and "SEND" are used as in the SEND Code of Practice. "SEND" includes pupils who have a disability, who may or may not also have special educational needs.
- 1.10 "SEN Support" means special educational provision made for a pupil who does not have an EHC plan.
- 1.11 "EHC plan" and/or "EHCP" means an Education, Health and Care Plan made by a local authority under the Children and Families Act 2014.
- 1.12 "Local Authority" means the local authority responsible for the pupil, which may differ from the authority in whose area the school is located.
- 1.13 "Parent" includes any person with parental responsibility for, or care of, a pupil.
- 1.14 "Code of Practice" means the Special Educational Needs and Disability Code of Practice: 0 to 25 years (January 2015).

2. Purpose and Scope

- 2.1 This policy sets out how the Trust, and its schools identify, assess and provide for pupils with special educational needs and disabilities, and who is responsible for what.
- 2.2 It applies to every Trust school, to all staff, and to Trustees, executive leaders, headteachers and local governors.
- 2.3 It is a Trust-wide policy approved by SEC. Schools do not adopt separate SEND policies. Each school publishes the local information described in Section 12.
- 2.4 This policy should be read with the Trust Scheme of Delegation, which determines the governance and reporting arrangements described here.

3. Legal Framework

- 3.1 All Trust schools will comply with the law currently in force:
 - Part 3 of the Children and Families Act 2014
 - Section 100 of the Children and Families Act 2014 (supporting pupils with medical conditions)
 - The Special Educational Needs and Disability Regulations 2014, including regulations 49 to 51 and Schedule 1

- The Special Educational Needs (Personal Budgets) Regulations 2014
 - The Equality Act 2010, including the duty to make reasonable adjustments, the public sector equality duty and the duty to publish an accessibility plan
- 3.2 All Trust schools will have regard to the statutory guidance in the Code of Practice and in Supporting pupils at school with medical conditions.
- 3.3 Trust schools that receive the Inclusive Mainstream Fund will meet its conditions of grant.
- 3.4 The Schools White Paper, Every Child Achieving and Thriving, and the consultation SEND reform: putting children and young people first (both February 2026) set out proposed reforms. They do not change the law. Section 13 explains how the Trust is preparing.

4. Vision and Principles

- 4.1 Our vision for children and young people with SEND is the same as for all children in our schools. We aim to provide an excellent education for every pupil and to secure the highest achievement appropriate to each learner.
- 4.2 We are inclusive. No pupil will be treated less favourably because of disability or any other protected characteristic under the Equality Act 2010.
- 4.3 We will have regard to the views, wishes and feelings of the child or young person and of their parents, and involve them in decisions about support.
- 4.4 We will work with the local authorities responsible for our pupils and co-operate with them in carrying out their duties under Part 3 of the Children and Families Act 2014.
- 4.5 Every teacher is a teacher of pupils with SEND. Class and subject teachers are responsible for the progress of every pupil they teach.
- 4.6 All Trust schools operate a model for improving outcomes for pupils with SEND, based on five principles:
- prioritising leadership of SEND
 - tracking progress effectively
 - securing progress through effective interventions
 - improving provision through partnerships
 - reducing the time from referral to assessment, so that needs are identified earlier and accurately and effective support is planned

5. Definition of SEND and Disability

- 5.1 A child or young person has special educational needs if they have a learning difficulty or disability which calls for special educational provision to be made for them (Children and Families Act 2014, section 20).
- 5.2 A child of compulsory school age or a young person has a learning difficulty or disability if they:
- have a significantly greater difficulty in learning than the majority of others of the same age, or
 - have a disability which prevents or hinders them from making use of facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions.
- 5.3 A person has a disability under the Equality Act 2010 if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.
- 5.4 Under the Equality Act 2010, schools must not discriminate against, harass or victimise disabled pupils or applicants. Schools must make reasonable adjustments, including providing auxiliary aids and services, so that disabled pupils are not placed at a substantial disadvantage. This duty is anticipatory.

- 5.5 Not every disabled pupil has special educational needs, and not every pupil with special educational needs is disabled. Schools will consider both.

6. Governance, Roles and Responsibilities

- 6.1 Responsibilities follow the Trust Scheme of Delegation. SEND statutory performance has a single governance route: headteacher, to the Executive Director – Standards, System and Sector, to the Chief Executive Officer and SEC.
- 6.2 The Board of Trustees is accountable for the Trust meeting its legal duties to pupils with SEND and for the outcomes those pupils achieve. It receives assurance through SEC.
- 6.3 The Standards and Effectiveness Committee (SEC) approves this policy and holds specific oversight of the Trust's arrangements for SEND, as the Code of Practice expects (paragraph 6.3). It scrutinises SEND statutory performance, receives reports from Achievement and Assurance Assemblies, and refers emerging risk to the Audit, Risk and Opportunity Committee.
- 6.4 Other trustee committees act within their own remits. The Audit, Risk and Opportunity Committee oversees SEND-related risk. The Schools, Staff and Students Committee considers the experience of vulnerable pupil groups. The Finance, Business and Operations Committee oversees the resources and estate that support inclusion.
- 6.5 The Chief Executive Officer is accountable to the Board for statutory compliance across the Trust and holds headteachers to account through the Executive Directors.
- 6.6 The Executive Director – Standards, System and Sector is responsible for assuring that SEND statutory duties are met in every school and reports to trustees through SEC.
- 6.7 The Director of SEND owns this policy, leads the Trust SEND service described in Section 11, quality-assures school SEND provision and published information, and advises headteachers and SENCOs.
- 6.8 Headteachers are accountable for SEND provision, compliance and outcomes in their schools. They ensure this policy is implemented, that the school has the staffing and resources to meet pupils' needs, and that the information in section 12 is published and kept current. In a special school, the headteacher is responsible for arranging each pupil's provision.
- 6.9 SENCOs co-ordinate SEN provision in mainstream and AP schools, advise colleagues, liaise with parents and external agencies, and maintain the school's record of pupils with SEND.
- 6.10 Class and subject teachers are responsible and accountable for the progress and development of every pupil in their class, including where pupils receive support from teaching assistants or specialist staff.
- 6.11 Local Governing Bodies do not monitor SEND outcomes, statutory performance or compliance. On behalf of trustees, local governors seek to understand the lived experience of pupils with SEND and their families: access, belonging, opportunity and participation in the life of the school.
- 6.12 Each LGB designates a SEND Champion. The SEND Champion hears from pupils, parents and staff, attends Trust Champions meetings, and reports findings to the LGB. Findings are recorded as Advise, Assure or Alert statements in line with the Scheme of Delegation. Alerts are referred through the Trust risk management system.
- 6.13 Achievement and Assurance Assemblies review each school's SEND information as part of the School on a Page and report to SEC.

7. Identifying and Meeting Needs in Mainstream and AP Schools

- 7.1 Mainstream and AP schools will use their best endeavours to secure that the special educational provision called for by a pupil's special educational needs is made (Children and Families Act 2014,

section 66). Schools will screen pupils on entry by assessing their skills and attainment, building on information from previous settings where it is available. As part of screening, schools will consider any evidence that a pupil may have a disability under the Equality Act 2010 and make reasonable adjustments.

- 7.2 Schools will follow the graduated approach of assess, plan, do and review set out in paragraphs 6.44 to 6.56 of the Code of Practice. A pupil is recorded as receiving SEN Support when the school, in consultation with parents, has assessed the pupil's needs and decided that special educational provision is required. A formal diagnosis is not required before support is put in place.
- 7.3 Schools will tell parents when they first make special educational provision for a pupil (Children and Families Act 2014, section 68) and will then work with them to agree the support needed and the outcomes sought. Schools will ensure that pupils with SEN engage in the activities of the school together with pupils who do not have SEN, so far as is reasonably practicable and compatible with the pupil receiving the provision they need, the efficient education of others and the efficient use of resources (Children and Families Act 2014, section 35).
- 7.4 Where a school believes it is necessary, and after consulting the parent and the pupil, the school will ask the responsible local authority to carry out an EHC needs assessment. Every mainstream school will designate a SENCO who is a qualified teacher working at the school. A SENCO must hold, or achieve within three years of appointment, the mandatory national qualification, which is the National Professional Qualification for SENCOs for those appointed from September 2024. As a Trust requirement, AP schools will designate a SENCO on the same basis.
- 7.5 Class and subject teachers, supported by the SENCO and senior leaders, will assess the progress of all pupils regularly and identify action for those making less than expected progress given their age and prior attainment. For every pupil receiving SEN Support, a member of the school's learning support team will meet parents at least three times a year to review progress, discuss support and agree next steps. The effectiveness of provision will be reviewed through the Assess, Plan, Do, Review cycle. Where support is not securing meaningful progress, it will be adjusted promptly. Trust assurance will distinguish pupils receiving SEN Support from pupils with EHC plans and will consider progress towards agreed outcomes, curriculum access, attendance, participation, the quality of Assess, Plan, Do, Review cycles, and pupil and parent experience of whether support is working.
- 7.6 The quality of teaching for pupils with SEN, and the progress those pupils make, are a core part of each school's performance management and professional development arrangements.
- 7.7 Schools will follow the Joint Council for Qualifications regulations and guidance on access arrangements, reasonable adjustments and special consideration, as updated each year, and will apply for arrangements for eligible pupils in good time.

8. Pupils with EHC Plans and Special Schools

- 8.1 Where a Trust school is named in a pupil's EHC plan, the school will admit the pupil (Children and Families Act 2014, section 43). Schools will secure the special educational provision specified in each pupil's EHC plan that falls to the school and will raise any difficulty in doing so with the local authority and the Director of SEND without delay. The Director of SEND, supported by Trust leads with domain expertise in SEND, will maintain a calendared programme of proportionate sampling of provision records and pupil and parent feedback to verify delivery. Any discrepancy will be referred to the Director of SEND and followed through to resolution. SEC assurance will include the scale and duration of any gaps, their impact on pupils, interim support and action to resolve them.
- 8.2 Schools will respond to local authority consultations on proposed placements within the statutory timescale and will contribute to, and where asked, convene annual reviews of EHC plans.
- 8.3 Our special schools are an integral part of the Trust. They support children and young people with complex needs to access a broad, balanced and ambitious curriculum. Pupils in our special schools will normally have an EHC plan that sets out their needs, the outcomes sought and the provision required.

- 8.4 Special schools are not required to designate a SENCO. The headteacher is responsible for arranging provision for each pupil and may delegate day-to-day co-ordination to a named senior leader. Special schools apply the Equality Act 2010 in the same way as all other schools, including when a pupil joins.

9. Working with Pupils and Parents

- 9.1 Schools will involve pupils and their parents in identifying needs, planning support and reviewing progress, and will give them the information they need to take part. Schools will tell parents how to contact the SENCO, or in a special school the named senior leader, and how to find the local authority's Local Offer and the local SEND Information, Advice and Support Service.
- 9.2 Schools will plan transitions between phases, schools and post-16 destinations with the pupil, their parents and the receiving setting.

10. Working across Education, Health and Care

- 10.1 We will work with local authorities, health and social care bodies and professionals to secure effective outcomes for pupils with SEND.
- 10.2 Each school will make arrangements to support pupils with medical conditions, in line with section 100 of the Children and Families Act 2014 and the Trust policy on Supporting Children with Medical and Health Needs.
- 10.3 Schools will use the specialist support available through local authorities and local partners, including any support provided under the national Experts at Hand offer.
- 10.4 The developing Trust Multi-Disciplinary Clinical Team offers clinical provision to Trust schools. Access is prioritised according to functional need, impact, urgency, complexity, risk and likely benefit, rather than diagnosis or school of attendance. Pupils are identified through a vulnerability assessment carried out by the school. The provision may include:
- screening and assessment of need, therapies, treatment plans and referral to external agencies such as NHS and GP services
 - advice, guidance and signposting for staff and parents
 - staff training
 - clinical reviews and evaluations
- 10.5 Clinical services may include speech and language therapy, physiotherapy, occupational therapy, educational psychology, mental health services and other therapeutic interventions.

11. Trust Support for Schools

- 11.1 The Trust provides a SEND service to all its schools, led by the Director of SEND, to support compliance with this policy and the law and to improve outcomes for pupils with SEND. The Director of SEND also supports SENCOs directly.
- 11.2 The service includes:
- SEND audits and reviews of provision
 - advice on statutory compliance
 - advice and guidance on access arrangements
 - support with identification and intervention
 - staff professional development
 - SEND professional learning community meetings to share best practice
 - specialist assessments
 - partnership working and the brokering of support services
 - preparation for inspection

SEC assurance on specialist and clinical support will include demand, waiting times, variation between schools and disciplines, unmet need, redirected referrals and interim support while pupils wait.

Reflecting the independent Clinical Advice Review and its post-review Action Plan, pathways, service standards and key performance indicators are being strengthened and must not be described as fully established until verified.

12. Published Information and Local Arrangements

- 12.1 This policy is Trust-wide. The documents in this section are specific to each school and are prepared by the school.
- 12.2 **SEN Information Report:** Every school, including special schools, will publish an SEN Information Report on its website. The report will contain the information required by regulation 51 of, and Schedule 1 to, the Special Educational Needs and Disability Regulations 2014 (Code of Practice, paragraphs 6.79 to 6.83). It will be updated at least annually, and as soon as possible when information changes during the year.
- 12.3 **Inclusion Strategy:** Every school that receives the Inclusive Mainstream Fund will publish an inclusion strategy on its website by 31 December 2026 and update it annually, in line with the conditions of grant. The strategy will set out the barriers to learning and participation identified in the school, the activity invested in to address them with budgeted costs, and the intended outcomes. As a Trust expectation, schools that do not receive the fund will set out their approach to inclusion in the same form.
- 12.4 **Accessibility Plan:** Every school will prepare, implement and keep under review an accessibility plan as required by Schedule 10 to the Equality Act 2010, and will publish it.
- 12.5 **SEND Strategy and Evaluation Report:** Every school will maintain a SEND strategy and evaluation report covering SEND cohort data and approaches to teaching pupils with SEND. It will be reviewed termly and made available to the Director of SEND.
- 12.6 **Approval:** The SEN Information Report, Inclusion Strategy and SEND Strategy and Evaluation Report are prepared, implemented and reviewed by schools, with headteachers confirming readiness and the Director of SEND undertaking quality assurance. Accessibility plans are prepared and implemented by schools, quality-assured by the Director of SEND and approved by SEC in accordance with the Trust Scheme of Delegation. The Executive Director – Standards, System and Sector reports the position across the Trust to SEC. LGBs do not approve these documents. The SEND Champion may be asked to comment on how clear and accessible they are for parents.
- 12.7 **Local SEND Arrangements:** Each school will complete their own local arrangements and include it in, or publish it alongside, its SEN Information Report.

13. SEND Reform

- 13.1 The Government has proposed significant reform of the SEND system, including a universal offer in every mainstream school, layers of targeted and specialist support, Individual Support Plans, national inclusion standards and changes to EHC plans. These proposals require legislation and are not yet in force.
- 13.2 Until the law changes, every Trust school will continue to meet its duties under the Children and Families Act 2014 and the Code of Practice in full. No pupil's existing support will be reduced in anticipation of reform.
- 13.3 The Director of SEND will monitor legislation and DfE guidance, brief headteachers and SENCOs, and advise SEC on the implications for the Trust. This policy will be reviewed when new legislation, regulations or a revised Code of Practice take effect, without waiting for the annual review.

14. Assurance, Reporting and Escalation

- 14.1 Headteachers report on SEND provision and statutory performance to the Executive Director – Standards, System and Sector, who reports to the Chief Executive Officer and SEC.
- 14.2 Achievement and Assurance Assemblies consider SEND information for each school and report directly to SEC. Assurance will distinguish pupils receiving SEN Support from pupils with EHC plans and include proportionate findings on delivery of EHC plan provision, progress and participation, pupil and parent feedback, gaps or delays in provision, interim support, specialist and clinical demand, waiting times, unmet need and actions to resolve identified weaknesses.
- 14.3 SEC reports to the Board after each meeting on SEND statutory performance and refers emerging strategic risk to the Audit, Risk and Opportunity Committee.
- 14.4 Operational risks and concerns are escalated by the headteacher or the Director of SEND to the Executive Director and then to the Chief Executive Officer. Where an LGB or SEND Champion identifies a concern about the experience of pupils with SEND, it is recorded as an Alert and referred through the Trust risk management system. Concerns about an individual pupil's safety follow the Trust's safeguarding procedures.

15. Concerns and Complaints

- 15.1 Parents who have a concern about SEND provision should first raise it with the class teacher or form tutor, then with the SENCO or, in a special school, the named senior leader. Concerns that are not resolved will be handled under the Trust Complaints, Compliments and Comments Policy.
- 15.2 Decisions made by a local authority about EHC needs assessments and EHC plans are not covered by the Trust complaints procedure. Parents and young people have rights to disagreement resolution, mediation and appeal to the First-tier Tribunal (Special Educational Needs and Disability), and the local authority must tell them about these.
- 15.3 A parent who believes a school has discriminated against their child because of disability may make a claim to the First-tier Tribunal (Special Educational Needs and Disability). Schools will direct parents to the local SEND Information, Advice and Support Service for impartial advice.

16. Related Policies and Review

- 16.1 This policy should be read with the following Trust policies:
 - Child Protection and Safeguarding Policy
 - Suspensions, Permanent Exclusions and Pupil Movement Policy
 - Attendance Policy
 - Behaviour Policy
 - Supporting Children with Medical and Health Needs, including First Aid
 - Equality Policy and Equality Objectives
 - Complaints, Compliments and Comments Policy
 - Admissions Arrangements
 - Looked After and Previously Looked After Children Policy
- 16.2 The Director of SEND reviews this policy annually, or sooner if the law or the Scheme of Delegation changes and recommends it to SEC for approval.