



Education & Welfare Provision for Pupils with an EHC Plan

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Introduction and definitions

This Policy applies to the whole school, from Reception to Year 8, and should be read in conjunction with the School's *SEND and Learning Difficulties Policy*.

This Policy will use the same definitions as those that are defined in the *SEND and Learning Difficulties Policy*.
EHC Plan is an Education, Health and Care Plan.

In accordance with the *Children and Families Act 2014*, Davenies is a 'non-Section 41 independent school'.

Due to the School's independent status, the School is therefore only *guided* by the *SEN and Disability Code of Practice, 0-25 years 2015* (SEND Code 2015).

Aims

Davenies is committed to providing equitable access to a balanced curriculum for all pupils in attendance at the school.

The School will do all that is reasonable to comply with its legal responsibilities under the Equality Act 2010 to accommodate the special educational needs of pupils who have such learning difficulties or disabilities for which, with reasonable adjustments, the School can adequately cater.

Definitions

- A child has SEND if they have a learning difficulty or disability which calls for special educational provision to be made for him.
- **Special Educational Provision (SEP)** is educational or training provision that is additional to or different from that made generally in mainstream schools for other children of the same age or that which we provide to children without SEND.
- A child of compulsory school age **has a learning difficulty or disability requiring SEP** if he:
 - has a significantly greater difficulty in learning than the majority of others of the same age; or
 - has a disability which prevents or hinders him from making use of education facilities of a kind generally provided in mainstream schools for others of the same age.
- **Disability** (whether in respect to SEND or otherwise) is “... a physical or mental impairment which has a long-term and substantial adverse effect on their ability to carry out normal day-to-day activities”.
- Not all pupils who have SEND are disabled. Not all disabled pupils have SEND. Some children may be both but the provision for each might be unrelated. Where a disabled child requires special educational provision they will also be covered by the SEND definition.
- Reference to pupils with SEND in this policy therefore includes all pupils with special education needs with a learning difficulty or a disability who require such special educational provision as defined above.

(SEND Code of Practice 2015, xiii-xviii) (CAFA 2014)

The School acknowledges the four areas of special educational need in the SEND Code of Practice 2015 (*SEND Code of Practice 2015, 5.32*):

Communication and Interaction (CI)	Speech, language and communication needs (SLCN) Autistic Spectrum Conditions (ASC)
Cognition and Learning (CL)	Specific Learning Difficulties (SpLD) e.g. Dyscalculia, Dyslexia, Dyspraxia Moderate Learning Difficulties (MLD) Profound and Multiple Learning Difficulties (PMLD)
Social, Emotional and Mental Health (SEMH)	Attention Deficit Hyperactivity Disorder (ADHD) Attention Deficit Disorder (ADD) Mental health disorders e.g. Anxiety, Depression
Sensory and Physical (SP)	Visual Impairment (VI) Hearing Impairment (HI) Multi-sensory Impairment (MSI) Physical Disability (PD)

Pupils can present with more than one area of special educational need, and their needs may change over time.

Admissions

Admission to the school is at the discretion of the Headmaster.

In line with the School's obligations under the Equality Act 2010, all potential pupils for admission will be treated equally, irrespective of their or their parents' race, ethnicity, religion, sexual orientation, social background or other protected status. The School has a formal *Equality Policy*, a copy of which is available on request.

In respect of an application for a place for a pupil with SEND, including a pupil with an EHC plan or statement, the School will have regard to these criteria and also to whether, given its facilities for pupils with SEND, the school can make reasonable adjustments to cater adequately for such a pupil.

The School requires full written details of any known disability, SEN or learning difficulty which may affect a child's ability to take full advantage of the education provided at Davenies. We advise parents of children with physical disabilities, SEND or Learning Difficulties to discuss their child's requirements with the School at the point of registration, or before.

Davenies is not a specialist provider of SEND care. There may be circumstances in which the School is not able to offer a place for reasons relating to a child's SEND. For example, if, despite reasonable adjustments, we feel that a prospective pupil is not going to be able to access the education offered, or that their health and safety or those of other pupils and staff may be put at risk, we may not be able to offer a place at the School.

The School considers each prospective pupil on an individual basis, and reserves the right to not admit a child, or require a pupil to be removed if:

- he may not be able to access the School's curriculum or Common Entrance Syllabus; and/or
- the School does not have the specialist facilities or skills to meet the child's needs; and/or
- admitting the child may affect the welfare and/or wellbeing of staff and/or children already attending the School; and/or
- admitting the child would likely create an imbalance of individual needs within a year group; and/or
- admitting the child would likely negatively impact the performance and progress of his peers.

Please refer to the School's *Admissions Policy* for further details of this process.

Procedure for Applications for EHC Plan Needs Assessment Requests

Please refer to the *SEND and Learning Difficulties Policy* for details on the School's process to identify potential special educational needs and its graduated response to SEND provision.

Parents and the School have the right to ask the Local Authority to make an assessment with a view to drawing up an EHC Plan for their child. Parents are asked to consult with the School before exercising this right. The School will always consult with parents before exercising this right.

Applications for statutory assessment and applications for Local Authority funding must be made by parents.

When referring a pupil for statutory assessment, written information will be provided, upon request from the Local Authority, by (1) the Headmaster, together with (2) the SENDCO (Head of Learning Support), and may include the following evidence:

- the views of the pupil and his parents
- the School's own assessment of the child's progress over time, including records of action taken by the School
- copies of any advice provided by health and social services
- any reports from external agency specialists that have been shared with the School (for example, Clinical or Educational Psychologists/ Specialist Assessors/ Occupational Therapists/ Speech and Language Therapists/ Paediatricians/ Behavioural Optometrists).
- details of any involvement of the education welfare service or social services or of other professionals
- details of the extent to which the School has followed advice from external agencies

The School will provide information to Local Authorities, with parental consent, and upon request.

It is the responsibility of the Local Authority to determine whether it may be necessary for SEND provision to be made in accordance with an EHC Plan

Educational, Health and Care (EHC) Plans

The School will respond to placement consultation for pupils with an EHC Plan on an individual basis. This will include a costing for Section F provision and school fees, completed by the School.

As a non-Section 41 Independent School, Davenies is not required to admit any child or implement, or fund, any provision or any processes (including Annual Reviews) linked to EHC Plans for individual pupils, even if the School has been named in the child's EHC Plan. The School retains complete discretion over whether to withdraw a pupil's place, irrespective of whether the pupil has an EHC Plan or whether the School is named in it.

Where the School has agreed to the admission of a pupil with an EHC Plan, and Davenies School is named in Section I of the pupil's EHCP Plan, the Local Authority remains responsible for full funding of provision listed in Section F of the EHC plan (as costed by the School). The Local Authority also retains financial responsibility for any school fees of a pupil with an EHC Plan where Davenies is the named school.

If the Local Authority does not name Davenies School in Section I of a pupil's EHC Plan, but the pupil continues to attend Davenies School it will be deemed that "child's parent has made suitable alternative arrangements". The duties placed upon the Local Authority to maintain the pupil's EHC Plan will no longer apply¹ and the provision in Section F of the pupil's EHC Plan will not be delivered unless the child's parents are willing to provide the full funding and it is within the School's remit to be able to accommodate the provision.

Should the Local Authority provide full funding for provision listed in Section F of an EHC Plan, it is the responsibility of the Headmaster, and the SENDCo (as duties are delegated) to:

- work together with the Head of Pastoral Care and all other relevant staff to monitor the provision as outlined in the EHC Plan and ensure that all needs are met
- ensure that all relevant staff are aware of the range of the pupil's strengths and difficulties and the implications for curriculum delivery
- co-ordinate and review the pupil's learning activities, and ensure that all staff are aware of the pupil's needs and the programmes to be followed
- offer inclusive support through the modification and adaptation of teaching materials and methods as appropriate
- manage these resources and use them in the most appropriate way to meet the pupil's needs
- monitor and record the pupil's progress.

Please refer to the *SEND and Learning Difficulties Policy* for further details as to the roles and responsibilities of those involved in the School's SEND Provision.

¹ *Children and Families Act 2014, Section 42.5*

Maintenance of EHC Plans and the Annual Review Process

A full Annual Review takes place within 12 months of the issue of an EHC Plan, and then every subsequent 12 months or sooner, should there be any serious concerns about progress, or any suggestion that the pupil's needs have considerably altered.

Where a pupil with an EHC Plan is registered at the School, such information as may be reasonably required for the purpose of the annual review of EHC Plan will be provided to the Local Authority, with parental consent, when requested.

The Annual Review process remains the responsibility of the Local Authority.

Withdrawal of Placement

The School reserves the right, following consultation with parents, to ask or require parents to withdraw their son from Davenies if, in the School's opinion:

- parents have withheld information from the School which, had the information been provided, would have made a significant difference to the School's management of the pupil's learning difficulties; and/or
- the pupil's special educational needs require a level of support or medication which the School is unable to reasonably provide, manage or arrange; and/or
- the pupil has special educational needs that make it unlikely he will be able to benefit sufficiently from the broad and varied education and facilities which the school provides even after all reasonable adjustments have been made;
- the pupil's attendance at the school is affecting the wellbeing of staff and/or other pupils;
- the pupil's attendance at the school is disrupting the learning and education of other pupils; and/or
- the pupil is in need of learning support, medication or a formal assessment to which parents are unwilling to give their consent.

In the event of any of the above circumstances, the School will do what is reasonable to help parents to find an alternative placement which will provide their son with the necessary level of teaching and support.

Withdrawal of a pupil in the above circumstances will not incur a charge of fees in lieu of notice. The deposit paid in respect of the pupil on admission will be credited to the relevant fee account.

Transition to future schools for pupils with EHC Plans

The Local Authority retains full responsibility for the process of the pupil's transition to future schooling, including placement consultation with potential future schools (maintained sector, Section 41 independent schools, non-section 41 independent schools).

For a pupil with an EHC Plan leaving the School at the end of Year 6, the Local Authority must deliver the pupil's EHC Plan Transition Annual Review in the Autumn Term of Year 5, and parents must provide a list of preferred senior schools to the Local Authority at this point.

For a pupil with an EHC Plan leaving the School at the end of Year 8, the Local Authority must deliver the pupil's EHC Plan Transition Annual Review in the Autumn Term of Year 7, and parents must provide a list of preferred senior schools to the Local Authority at this point.

[Procedures for Resolving Complaints about Education & Welfare Provision for Pupils with an EHC Plan](#)
This follows the School's *Complaints Procedure*, as published on the school's website.

Links to Other Policies

This Policy should be read in conjunction with the following other School Policies which are available to all staff and parents on the School's website, or upon request from the School's office:

- *Admissions Policy*
- *Anti-Bullying Policy*
- *Attendance Policy*
- *Behaviour Policy (incl. Rewards & Sanctions, Expulsion & Suspension)*
- *Curriculum Policy*
- *Disability Policy*
- *Education and Welfare Provision for Pupils with an EHC Plan*
- *Educational Visits Policy*
- *English as an Additional Language (EAL) Policy*
- *Equality Policy*
- *Examinations Policy*
- *Feedback Policy*
- *Pastoral Policy*
- *Report Writing Policy*
- *Safeguarding Policy*

Updated: September 2025, Head of Learning Support, Inclusion and Pupil Outcomes

Review: September 2026, Head of Learning Support, Inclusion and Pupil Outcomes

Acronyms

APDR	Assess, Plan, Do, Review
CAFA 2014	Children and Families Act 2014
EAL	English as an Additional Language
EHCP	Education, Health and Care Plan
HQT	High-quality teaching that is available for each pupil in attendance
ILP	Individual Learning Plan, provided for pupils in receipt of individual learning support
LD	Learning Difficulty
OAP	Ordinarily available provision that is available for each pupil in attendance
SEN	Special Educational Needs
SEND	Special Educational Needs and Disability
SENDCo	Special Educational Needs and Disability Coordinator
SEND Code of Practice 2015	Special Educational Needs and Disability Code of Practice 2015

References:

[Children and Families Act 2014 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2014/11/contents)

[Equality Act Advice Final.pdf \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/344441/Equality_Act_Advice_Final.pdf)