

SEND POLICY 2017: APPENDIX 1

Definition of Special Educational Needs (SEN) – SEND Code of Practice 0-25

General Definition:

“A child has Special Educational Needs (SEN) if they have a learning difficulty or disability which calls for SEN provision to be made for him or her.” *(Para xiii)*

A child of compulsory school age:

“Has a learning difficulty or disability if he or she:

- 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 or her from making use of facilities of a kind generally provided for others of the same age in mainstream schools.” *(Para xiv)*

Children aged 2 or more:

“Special educational provision is educational or training provision that is additional to or different from that made generally for other children of the same age by mainstream schools, maintained nursery schools or relevant early years providers.” *(Para xv)*

A child under compulsory school age:

“Has SEN of he or she is likely to fall within the definition in paragraph xiv above when they reach compulsory school age or would do so if SEN provision was not made for them.” *(Para xvi)*

Children with SEN and a disability as defined by the Equality Act 2010:

“Has 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.”

This definition provides a relatively low threshold and includes more children than many realise: ‘long-term’ is defined as a ‘year or more’ and ‘substantial’ is defined as ‘more than minor or trivial.’ This definition includes sensory impairments such as those affecting sight or hearing, and long-term health conditions such as asthma, diabetes, epilepsy and cancer. Children with such conditions do not necessarily have SEN, but there is a significant overlap between disabled children and those with SEN. Where a disabled child requires SEN they will also be covered by the SEN definition. *(Para xviii)*

Expectations on schools of the Equality Act 2010

Schools are required to make “reasonable adjustments, including the provision of auxiliary aids and services, to ensure that disabled children are not at a substantial disadvantage compared with their peers. This duty is anticipatory – it requires thought to be given in advance to what disabled children might require and what adjustments might need to be made to prevent their disadvantage.” *(Para xix)*