

Defining SEND

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How are Special Educational Needs and Disability Defined?

Special Educational Need (SEN)

The definition of Special Educational Needs in the SEND Code of Practice (2015) is:

- A child or young person has SEN if they have a learning difficulty or disability which calls for special educational provision to be made for him or her.
- A child of compulsory school age or a young person has a learning difficulty or disability if he or she:
 - has 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 or mainstream post-16 institutions.
- For children aged two or more, special educational provision is educational 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, maintained nursery schools, mainstream post-16 institutions or by relevant early years providers.
- For a child under two years of age, special educational provision means educational provision of any kind.
- A child under compulsory school age has special educational needs if he or she is likely to fall within the definition above when they reach compulsory school age or would do so if special educational provision was not made for them (Section 20 Children and Families Act 2014).

Disability

Someone has a disability if they have a **physical or mental impairment** which has a substantial and long-term **adverse effect on their ability to carry out day-to-day activities**. ‘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.

Do Children and Young people with a Disability always have Special Educational Needs?

No. That is why we refer to ‘SEND’. ‘Disability’ is separated from ‘Special Educational Need’. Children and young people with a disabling condition do not necessarily have SEN. However, there is a significant

overlap between children and young people who have a disability and those who have SEN. Where a disabled child or young person requires special educational provision, they will also be covered by the SEN definition.

Children and young people with a disability should be on the settings SEND register so that there is a record of their needs.

What is a Learning Difficulty or Disability?

A child or young person has a **learning difficulty or disability** if:

- They have **significantly greater difficulty in learning** than the majority of others of the same age, or
- They have a **disability** which makes it **difficult for them to use the facilities normally provided** for others of the same age in mainstream schools or post-16 institutions.

Is There a Difference Between a Learning Difficulty and a Learning Disability?

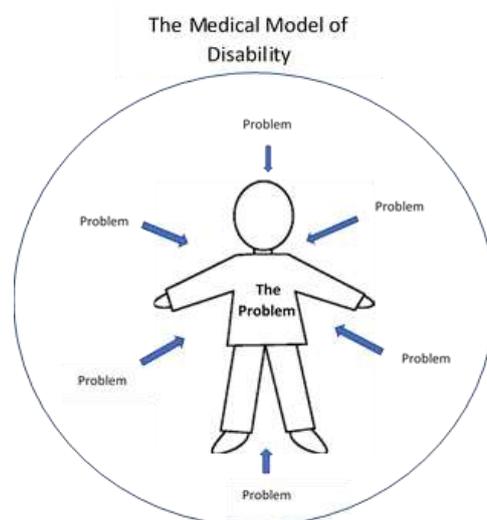
A child or young person may be described as having a **learning difficulty** if they have a condition which impacts on their **ability to access a specific aspect of their learning**, but, with the right interventions, they have the cognitive capacity to learn at the same (or better) speed and level as their peers. For example: Dyslexia, Asperger Syndrome, Hearing Impairment, Speech and Language difficulties. Children and young people with a learning difficulty are more likely to have their needs met through a settings universal offer.

A child or young person may be described as having a **learning disability** if they have a condition which has an ongoing impact on their global **cognitive capacity** to learn which means they are unlikely to learn at the same speed or level as their peers, even with relevant interventions in place. For example: Down's Syndrome, Global Developmental Delay, severe autism. Children and young people with a learning disability may need an Education Health Care Plan (EHCP) to have their needs met effectively.

Different Models of Disability

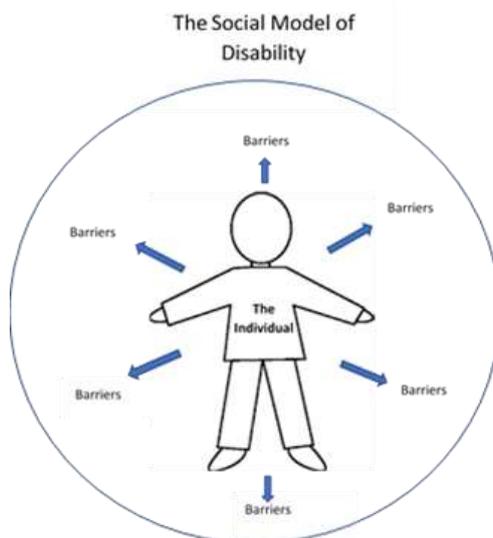
It is important to acknowledge that the attitudes, approaches, and expectations of people, including the way they think, interact with and behave towards a child or young person with SEND of any kind, will have a significant impact on the outcomes for that child or young person.

One way to get a better understanding of the impact that the attitudes, approaches and expectations of others can have on a child or young person with SEND is to look at the medical and social models of disability.



The **medical model** of disability takes a very traditional view and focuses on what the child or young person **can't do**. It sees the **child or young person's** impairment (or the child /young person themselves)

as the 'problem' and focuses on trying to make them 'less disabled' by removing /changing/ curing / 'fixing' the impairment.



The **social model** of disability focuses on what the child or young person can do. It sees social barriers such as access, attitudes, approaches **and expectations as the 'problem' and focuses on removing them** so that the child or young person can do even more.

The social model is always the preferred model when thinking about children and young people with SEND. It was developed by people with disabilities themselves and distinguishes between impairment and disability:

- Impairment = a characteristic of a person that impacts on their physical or mental functioning. A person can seek medical and other interventions to minimise the impact of their impairment as far as this is possible.
- Disability = Something a person experiences within a given environment because of the social barriers that exist within that environment.

What do the Models of Disability Look Like in an Educational Setting?

The following diagrams are helpful in understanding what the different models might look like in an educational setting:



The medical model is more reflective of an educational setting where children and young people with SEND are expected to integrate or are segregated.

The social model is more reflective of an educational setting where children and young people with SEND are fully included.

In recognition of the statutory duty (See core standard one) for educational settings to use their **'best endeavours'** to secure the provision that a child or young person with SEND needs, they should always strive to use the social model of disability and should never be complacent in their efforts to remove the social barriers that impact negatively on children and young people with SEND, especially when it comes to the attitudes, approaches and expectations of staff, other children and young people and parents/carers within the setting.