

# Croydon Locality SEND Support Headteacher & SENDCo Group Terms of Reference and Privacy Notice 2024

## Aims

Croydon Locality SEND Support (CLSS) is aimed at better supporting pupils with special educational needs and disabilities in Croydon mainstream schools by devolving advice and resources to groups of schools in localities across the borough. CLSS will ensure that help is provided at the earliest opportunity, by supporting school SENDCos with rapid identification and assessment, as well as providing advice and resources to improve outcomes, resulting in better value for money.

## Purpose

To establish a school-led sustainable self-improving system of inclusive practice for pupils with SEND, from the early years to the end of compulsory education, through a strategic partnership between all schools in the locality, the Local Authority, and other partners.

## Objectives

- To review current practice regarding the support of SEND pupils and identify a more strategic way forward.
- To support locality-led continuous improvement of inclusive SEND provision.
- To increase leadership capacity in the locality schools to support pupils with SEND and their families.
- To develop partnerships and networks that support school-led improvement that promotes school collaboration and inclusive practice.
- To support CYP with SEND with Advice, signposting or resources.

## Terms of Reference

### Membership

All Croydon mainstream schools and maintained nursery settings are invited to be part of CLSS. In order to benefit from the help, assistance and advantages of CLSS, all schools must fully abide by these terms of reference and fully participate in the programmes.

### Funding

CLSS Locality funding is provided by Croydon Local Authority and is non-statutory and discretionary. CLSS funds are not intended to support CYP with Education and Health Care Plans. The 0-25 Special Educational Needs Service statutory team will consider applications for EHC Needs Assessments in the usual way. Locality funding will only be made for a pupil once a school has demonstrated that they have spent at least their notional SEND funding of £6,000 per annum (£2,000 per term) and CLSS funding will be limited to £6,000 per academic year, at a maximum of £2,000 per term. Funding can be given for a one-off intervention or for a fixed period of no longer than three terms, (usually two) before it must be reviewed. Locality funding is conditional on continued attendance by the CYP in receipt of funds. Locality funding will not be given for the following reasons:

- To provide Alternative Provision (AP) at an independent setting
- To support CYP who are not resident in Croydon at the time of application.
- To make any hardship payments to parents
- To pay for travel costs for CYP
- To support CYP during a EHCNA period (20 weeks), unless the CYP has previously been in receipt of locality funding and completed at least one review.
- Where the CYP's attendance is lower than 75% (except under exceptional circumstances where the support is designed to improve attendance)

## **Meeting Schedule and Attendance Requirements**

A minimum of 9x Locality SENDCo Forum meetings and additionally, half-termly Headteacher information meetings per academic year will be held. All schools who wish to participate in CLSS will agree to ensure their SENDCo or senior representative attends all Locality SENDCo Forum meetings and their Head or Deputy to the half termly Headteacher Briefings. All meetings will be held virtually. SENDCo Forums will last for a maximum of two and a half hours and Headteacher meetings for a maximum of 30 minutes.

## **School Visits**

The Area SEND Leads will visit schools as needed and all new schools will be visited at least once per year. The Area SEND Leads will be available for telephone calls and virtual meetings throughout the year.

## **Meeting Composition, Chair & Quorum**

The Area SEND Lead will chair meetings via Microsoft Teams. All SENDCOs are expected to attend each meeting and one locality Headteacher is expected to attend on an annual rota basis. All participants are expected to be on camera with audio and ability to use the Microsoft Teams chat and polls facilities. The dates of the forums and the rota for Headteacher attendance will be published at the start of the academic year. It is the responsibility of Headteachers to arrange for alternative attendance if they cannot attend their allocated meeting. The Locality SEND Support Consultant Lead and other Area SEND Leads may attend as advisors. The Locality EP will be in attendance at each meeting and other professionals will be invited as necessary. The meetings will be considered quorate if greater than 60% of the SENDCOs are present.

## **Before, during and after each meeting**

Meetings will be scheduled at the start of each academic year. If a date needs to be changed due to unforeseen circumstances, suitable notice will be given of the same. An agenda and case descriptions will be sent in advance of each meeting. SENDCOs will provide required documents with parent consent at least one week before the assigned Locality SENDCO Forum. Meetings will broadly consist of an appropriate training element, an opportunity to review previous cases, presentation of new cases and a section on information giving. A follow-up email will be sent to all attendees containing relevant information in order to prevent attendees from having to make notes.

## Recommendations for Education & Healthcare Needs Assessments EHCNAs

The purpose of CLSS is to support CYP with SEND who's needs are beyond the reach of the school's notional funding before they may require an EHCNA. It is the responsibility of SENDCos to present such CYP to locality at the earliest opportunity. This should be done so that funding can address needs early. CLSS funding should be given a chance to show effectiveness through at least one review cycle before an EHCNA is requested. It is recognised that in some cases CYP have exceptional needs which merit immediate EHCNA. In all cases it is good practice to get the support of the locality before submitting an EHCNA to the SAG Panel.

### Locality Budgets

Budgets for locality funding for each locality will be published at the start of each financial year. Localities may not overspend their fixed annual budgets. If budgets are spent before the end of a financial year, the locality may not make any further funding decisions until the start of the next financial year. In order to help localities stay within their allocated budgets, an updated budget will be presented at the start of each locality meeting. The presented budgets will contain analysis to help the locality make fair funding decisions. If budgets are running low CLSS reserves the right to prioritise schools who have had the least funding and put a temporary pause on schools that have had the most funding. All schools will still be expected to attend the monthly Forums.

### Early Years SEN Inclusion Funding (SENIF)

From 1<sup>st</sup> September 2023, CLSS is responsible for the administration of SENIF funding for early years children in Croydon attending maintained nursery settings. SENIF will be discussed at the locality SENCO Forum in the same way as locality funding. SENIF decisions will normally be confirmed by the Area SEND Lead at the end of each meeting and will be attended by SENDCos who's schools have nursery provision.

### Confidentiality

1. By participating in Locality SEND Support activities all parties in the locality are expected to comply with terms of the Data Protection Act (GDPR) 2018 and abide by the Locality SEND Support Privacy Notice which is attached as **appendix A** to these terms of reference.
2. Each of the schools in the locality should be aware that they are dealing with sensitive personal data and before any cases are discussed Parents/Carers have the right to be informed and consent must be sought and received. Under the GDPR this must be a freely given, specific, informed and an unambiguous indication of the individual's wishes.
3. For the purposes of discussing the best interest of SEND pupils, it may be necessary to share sensitive personal data to allow school to school collaboration in order to find the best resolution for individual pupils.

4. It may also be necessary for professionals such as Educational Psychologists to share this information within a secure and confidential environment. This data sharing must be kept to a minimum and not disclosed to any other third party. The processes outlined in the Privacy Notice attached to these Terms of Reference must be followed at all times.
5. Parents/Carers will have the right at any time during the process to access their personal data by making a subject access request, they are entitled to object, have personal data rectified or restrict further processing if the data is inaccurate or incomplete.
6. Under certain circumstances Parents/Carers have the right to request the deletion or removal of personal data in accordance with the circumstances outlined in the Data Protection Act (GDPR) 2018.
7. If Parents/Carers wish, then they have a right to data portability. This allows individuals to obtain and reuse their personal data for their own purposes across different services.
8. Any documents specific to individual pupils for Locality SENDCo Forum meetings must be sent via Egress and must adhere to strict confidentiality and GDPR guidance in line with the attached privacy notice.

## **Commitments**

Members of the SENDCo Locality group will commit to:

- Attending ALL scheduled Locality SENDCo Forums
- Championing CLSS within the LA and beyond and taking part and promoting involvement in the activities that it arranges.
- Appropriately sharing all communications and relevant information, while maintaining confidentiality
- Adhering to the timeframes for providing documents and consent at least one week before the allocated Locality SENDCo Forum
- Taking ownership of the aims and objectives of the Croydon Locality SEND Support programme and defending collective decisions to parents and other stakeholders.
- Ensuring that schools comply with the CLSS privacy notice below.
- Work collaboratively for the benefit of all CYP with SEND in the locality and help share good practice with colleagues.
- Ensure that all CLSS funding is spent wisely for the benefit of CYP with SEND and seek to find ways of improving value for money.
- Help to ensure that the fixed locality needs funding budget is not exceeded.

## **Responsibilities of the Area SEND colleagues**

- Monitoring, and supporting the improvement of SEND performance of schools within their locality.

- Advising on the deployment of additional funding within existing CLSS budgets to support improved SEND practice in locality schools.
- Fostering collaboration between SENDCOs, Heads and other professionals
- Maintaining a focus on the aims and objectives of the locality.
- Seeking to ensure that the intended outcomes and benefits to youngsters with SEND are achieved within the locality.
- Ensuring effective communication with all stakeholders.
- Promoting and collating Headteacher responses to consultations on local, regional and national issues.
- Monitoring and reviewing the development of SEND provision within the locality and across the Local Area.
- Allocating approved resources directly to schools in a timely fashion.
- Agreeing KPIs for the locality, monitoring their implementation and evaluating their impact.
- Identifying school improvement priorities in respect of SEND.
- Providing an analysis of high-level school improvement priorities to inform priority-setting for the allocation of resources.
- Maintaining a map / knowledge bank of school improvement resources, services and development opportunities available from a range of providers.
- Identifying further school improvement required to meet the need of the locality and liaising with providers with evidence of track record, capacity and expertise to stimulate and help schools requiring additional support.
- Evaluating the impact of school improvement support developing strategies to promote effective school improvement practice.
- Considering bids made by the individual schools and allocating funding where appropriate.
- Identifying possible improvement projects for groups of schools.
- Sign-posting schools to available support and existing provision relevant to their needs
- Sourcing and/or commissioning new support services where required from providers with evidence of track record, capacity and expertise.
- Brokering school to school support by sharing best practice.
- Recommending schools for inclusion in applications for external funding and training.
- Maintaining a record of the resources provided to schools through the project.
- Moderating SEN cases within the area and against other localities.

### **Responsibilities of Headteachers, SENDCOs and schools**

- To inform the Area SEND Colleagues (ASC) of emerging needs of CYP in their school at the earliest opportunity.
- To agree with the ASC on strategies to help support the CYP.
- To liaise with the ASC with regard to presenting a case at an upcoming SENDCO forum by sending the highlighted and annotated LSS Offer document for the child ahead of **any** discussion.
- To complete and submit, by the stated deadline, all agreed paperwork, before a case is presented at forum.
- To seek parental permission for CLSS support and feed-back to parents following

the forum meeting.

- To attend and contribute to all forum meetings.
- To invoice against funding purchase orders in a timely way and within the same financial year in which they are issued. Outstanding POs from earlier financial years may expire.
- To ensure that all funding received from CLSS is used specifically for the CYP in question and account for such funding.
- To review the impact of any funding and feed-back to the forum to help share good practice.
- To facilitate school visits by the ASC or agreed visits by any other professionals.
- Support the ASC with their work to monitor and support the improvement of SEND performance of schools within the locality.
- Advise the Area SEND Lead of school or parental EHCNA requests submitted for students who have not been supported.
- Commit to collaborative working and reflect the values of CLSS positively.

## **Locality SEND Support Governance structure.**

The governance structure and how CLSS fits in to the wider Local Authority SEND structure is shown on a separate document entitled “Locality SEND Support STRATEGY AND GOVERNANCE”

## **Appendix A**

### **Locality SEND Support Privacy Notice**

This notice explains what personal data (information) we hold about you, how we collect, how we use and may share information about you. We are required to give you this information under data protection law.

### **Who we are.**

Croydon Locality SEND Support (CLSS) is a group of Croydon schools who work closely together to support pupils with special educational needs and disabilities. In order to do this effectively and work in the best interest of SEND youngsters CLSS collects, uses and is responsible for certain personal information about you. When we do so we are regulated under the Data Protection Act 2018 (GDPR) and we are responsible as ‘controller’ of that personal information for the purposes of the law.

Croydon Locality SEND Support is responsible for carrying out duties under the Children and Families Act 2014 in relation pupils with SEND ranging from informal support to the statutory assessment processes, and the ongoing monitoring of children and young people who have special educational needs. This includes information and advice sought for periodic reviews, tracking information, decision making, funding and disagreement resolution. We administer and approve Locality Additional Needs Funding (LANF) for predictable needs for children and young people in relation to the special educational provision they may require across early years, primary schools and secondary schools. We work in a coordinated way with other children and young people’s services in Croydon and

with partner organisations to ensure we deliver the best possible outcomes for children and young people with SEND in each locality, and to ensure we are fully compliant with the Children and Families Act 2014 and associated regulations and Code of Practice.

## **Personal information we collect and use**

We collect information from parents or carers for children and young people participating in CLSS for early years and within statutory school age, and from young people themselves if they are aged 16 or over.

## **Information collected by us**

In the course of assessing and planning SEND support, and providing the most suitable educational provision, we collect data which could include the following personal information when you provide it to us:

- personal information (such as name, address, contact details, date of birth, parent/carer name(s) and contact details, gender)
- details of special educational needs and disabilities
- ethnicity
- information about physical or mental health

We also obtain personal information from the following other sources:

- other organisations or teams that can provide us with advice and information (such as Adult or Children's Social Services, educational psychologists, mental health services, doctors, school nurses and other NHS providers)
- schools currently or previously attended.
- early education providers currently or previously attended (such as nurseries, pre-schools, childminders)

## **How we use your personal information**

We use your personal information to:

- identify your child's SEND needs.
- clarify the child or young person's needs.
- identify the support they require which will help them to achieve their outcomes.
- know who we need to speak to, so we can ask them to send us information and advice relating to your child.
- make decisions about whether to signpost to a statutory Education, Health and Care needs assessment.
- support the ongoing monitoring of the provision and support provided through CLSS.
- inform periodic reviews and monitor your child's progress.
- to keep you up to date on SEND related news and developments.
- support disagreement resolution or mediation processes and processes relating to appeals to the Special Educational Need and Disability Tribunal (SENDT)
- make decisions about whether to provide additional funding to the setting where your child is educated such as Locality Additional Needs Funding (LANF) for predictable needs.
- help to resolve any disagreements.
- enable coordinated working with other teams and organisations.
- evaluate and quality assure the services we provide.

- analyse service provision and effectiveness, and model patterns of service involvement to support future service delivery planning.
- signpost assessment for specialist equipment that may be required to support your child's needs.
- inform future commissioned services and educational placements requirements.

### **How long your personal data will be kept**

We keep children and young people's information from their date of birth until they reach the age of 25. Additionally, the SEND and Educational Psychology services keep information for 6 years after the date of last involvement, which will go beyond the age of 25 for those young people supported between the ages of 20 and 25. After this time the information is archived or securely destroyed.

### **Reasons we can collect and use your personal information**

We collect and use pupil information to comply with our legal obligations as outlined in the Children and Families Act 2014, and to carry out tasks in the public interest. If we need to collect special category (sensitive) personal information, we rely upon reasons of substantial public interest (equality of opportunity or treatment), for social security or social protection law, and for the establishment, exercise or defence of legal claims whenever courts are acting in their judicial capacity.

### **Who we could share your personal information with**

- teams within the Local Authority working to improve outcomes for children and young people.
- commissioned providers of local authority services (such as education or health services)
- schools, and early years providers as well as wider education or training providers
- local multi-agency forums which provide SEND advice, support and guidance.
- Educational Psychologists
- partner organisations which may include NHS teams, health visitors, midwives, district councils, housing providers, Police, school nurses, doctors and mental health workers.
- other local authorities and social care or health providers outside of the Local Authority
- Department of Education
- providers of independent advice and guidance (such as contracted SEND consultants)
- mediation services

### **Your rights**

Under GDPR you have rights which you can exercise free of charge which allow you to:

- know what we are doing with your information and why we are doing it
- ask to see what information we hold about you (subject access request)
- ask us to correct any mistakes in the information we hold about you.
- object to direct marketing
- make a complaint to the Information Commissioners Office
- withdraw consent at any time (if applicable)



Depending on our reason for using your information you may also be entitled to:

- ask us to delete information we hold about you.
- have your information transferred electronically to yourself or to another organisation.
- object to decisions being made that significantly affect you.
- object to how we are using your information.
- stop us using your information in certain ways.

We will always seek to comply with your request however we may be required to hold or use your information to comply with legal duties. Please note, your request may delay or prevent us delivering a service to you.

For further information about your rights, including the circumstances in which they apply, see the guidance from the UK Information Commissioner's Office (ICO) on individuals' rights under GDPR.

### **Keeping your personal information secure**

We have appropriate security measures in place to prevent personal information from being accidentally lost or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

We will minimise the written information that we share in multi-disciplinary meetings and try to exchange this information orally in a secure and confidential environment as much as possible. If we have to send any data between professional colleagues electronically, we will use approved encrypted delivery services such as Egress. Any online meetings in which your child's data might be discussed will take place on a suitably secure platform approved by Croydon Council (Currently MS Teams). Such meetings will not be recorded.

### **Contact**

Please contact the Data Protection officer at [dpo@croydon.gov.uk](mailto:dpo@croydon.gov.uk) to exercise any of your rights, or if you have a complaint about why your information has been collected, how it has been used or how long we have kept it for.

GDPR also gives you right to lodge a complaint with a supervisory authority. The supervisory authority in the UK is the Information Commissioner who may be contacted on 03031 231113.

