

Special Educational Needs and Disabilities (SEND) Policy



Policy Updated	March 2017								
Adopted by	Miss Michelle Taylor						August 2016		
Policy Review Annually August	2017	DATE	INITIAL	2018	DATE	INITIAL	2019	DATE	INITIAL
		Aug 19	MT		Aug 18	MT		Aug 19	MT
<p>This policy applies equally to all pupils across the school, including pupils of EYFS. This policy was developed in consultation with staff and pays due regard to: <i>The SEND Code of Practice: 0 to 25 years, July 2014; Part 3 The Children and Families Act 2014 & associated regulations</i> And should be read in conjunction with the following school policies: Administering Medication; Teaching and Learning; Equality of Opportunity; School Complaints Procedure; Transition; Assessment, Recording and Reporting</p>									

Introduction

This policy aims to support inclusion for all of our children. The responsibility for the management of this policy falls to the Headmistress; the day-to-day operation of the policy is the responsibility of the Special Educational Needs and Disabilities Co-ordinator (SENDCo), in the case of the New School this is also the Headmistress. The Headmistress as SENDCo will work closely with staff to ensure that this policy is working effectively.

High quality teaching is that which is differentiated to meet the needs of the majority of pupils. Some pupils will need something **additional to** and **different from** what is provided for the majority of pupils. This is what is meant by *special educational provision* and at the New School we will endeavour to ensure that provision is made for those who need it. We will ensure that all staff in the school are able to identify and provide for those pupils who have special educational needs or disabilities to allow pupils with SEND to join in the activities of the school.

The staff of the New School will also work to ensure that all SEND pupils reach their full potential, are fully included within the school community and are able to make successful transfers between educational establishments. This policy aims to support all members of staff in providing positive whole school approaches towards the learning, progress and achievement of SEND pupils. With this as an underlying principle, we believe that; **All teachers are teachers of Special Educational Needs.**

Every teacher is responsible and accountable for the progress and development of all pupils in their class, even where pupils access support from teaching assistants or specialist staff.

Teaching and supporting pupils with SEND is therefore a whole school responsibility requiring a whole school response. Meeting the needs of pupils with SEND requires partnership working between all those involved – school, parents, pupils, children’s services and all other agencies.

School Admissions

No pupil will be refused admission to school on the basis of his or her special educational need. In line with the Equality Act 2010 we will not discriminate against disabled children in respect of admissions for

a reason related to their disability. We will endeavour to provide effective educational provision if at all possible.

SEND Policy Aims and Objectives

Aims

To provide the structure for a pupil-centred process that engages pupil, family, school and other professionals in planning for and implementing high quality provision that is consistent across the school. This is to ensure all of our pupils are able to access the same opportunities for learning and social development, achieving maximum progress, fulfilling their potential and promoting their well-being.

Objectives

The SEND Policy of the New School reflects the principles of the 0-25 SEND Code of Practice (2014). The aims of this special educational needs policy are to:

- Ensure the Equality Act 2010 duties for pupils with disabilities are met,
- To enable pupils with special educational needs to have their needs met,
- To take into account the views of the pupils with special educational needs,
- To encourage good communication and genuine partnerships with parents of children with special educational needs, ensuring that regular meetings are held with parents to keep them fully informed of their child's progress
- To facilitate full access to a broad, balanced and relevant education, including an appropriate curriculum for the foundation stage and the National Curriculum, for pupils with special educational needs,
- In conjunction with the Policy for Administering Medication, make arrangements to support pupils with medical conditions and to have regard to statutory guidance supporting pupils at school with medical conditions,
- To implement a graduated approach to meeting the needs of pupils using the **Assess, Plan, Do, Review process**,
- Develop a culture of inclusion valuing high quality teaching for all learners, with teachers using a range of effective differentiation methods,
- Employ a collaborative approach with learners with an SEN or disability, their families, staff within school, other external agencies including those from Health and Social Care,
- Use all assessment tools available to provide the necessary information and share this with parents
- Record minutes of meetings identifying the outcomes and future actions
- Set appropriate individual learning outcomes based on prior achievement, high aspirations and the views of the learner and family,
- Share expertise and good practice across the school,
- Make efficient and effective use of school resources,
- Have regard to the Code of Practice (2014) for the identification, assessment, support and review of special educational needs,
- Have regard to guidance detailed by Devon County Council for Early Years where applicable

Identifying and supporting Special Educational Needs & Disabilities

Definition of SEN

Pupils have special educational needs if they have a learning difficulty or disability which calls for special education provision to be made for him/her namely provision **which is additional to or different from** that normally available in a differentiated curriculum. The New School regards pupils as having a Special Educational Need if they:

- a) Have a significantly greater difficulty in learning than the majority of pupils of the same age, or;
- b) Have a disability which prevents or hinders him/her from making use of facilities of a kind generally provided for others of the same age
- c) A child under compulsory age has special educational needs if they fall within the definition at (a) or (b) above or would do so if special educational provision was not made for them (Section 20 Children and Families Act 2014)

Pupils must not be regarded as having a learning difficulty solely because the language or form of language of their home is different from the language in which they will be taught.

The New School will have regard to the SEND Code of Practice 2014 when carrying out its duties towards all pupils with SEND and ensure that parents are informed by the school that SEND provision is being made for their child.

There may be times in a pupil's school career when they are identified as having a Special Educational Need. These pupils will be provided with intervention and/or support that is 'additional to or different from' the normal differentiated curriculum. This may be on an ongoing basis or for a limited time. Many pupils with sensory and/or physical disabilities may require adaptations, made as reasonable adjustments under the Equality Act 2010.

Areas of Special Educational Need

Under the SEND Code of Practice 2014 pupils identified as having a special educational need (SEN) will be considered within one or more of the following categories of need:

Cognition and Learning;

Children with learning needs may learn at a slower pace than other children and may have difficulty developing literacy or numeracy skills or understanding new concepts. Learning needs may be in addition to or as a result of other special educational needs.

Children with a specific learning difficulty (SpLD) will have difficulties related to one or more of dyslexia (reading and spelling), dyscalculia (maths), dyspraxia (co-ordination) and dysgraphia (writing).

Learning difficulties cover a wide range of needs, including moderate learning difficulties (MLD), severe learning difficulties (SLD), where children are likely to need support in all areas of the curriculum and associated difficulties with mobility and communication, through to profound and multiple learning difficulties (PMLD), where children are likely to have severe and complex learning difficulties as well as a physical disability or sensory impairment.

Cognition and Learning needs include:

- Specific learning difficulties (SpLD)
- Moderate learning difficulties (MLD)
- Severe learning difficulties (SLD), and
- Profound and Multiple Learning Difficulties (PMLD)

Social, Emotional and Mental Health Difficulties

Children may experience a wide range of social and emotional difficulties which manifest themselves in many ways. These may include becoming withdrawn or isolated, as well as displaying challenging, disruptive or disturbing behaviour. These behaviours may reflect underlying mental health difficulties.

Other children may have disorders such as attention deficit disorder, attention deficit hyperactive disorder or attachment disorder.

Social, Emotional and Mental Health Difficulties include:

- ADD
- ADHD
- Attachment Disorder

Communication and Interaction needs

Children with speech, language and communication needs (SLCN) have difficulty in communicating with others. This may be because they have difficulty saying what they want to say, understanding what is being said to them or because they do not understand or use social rules of communication.

The profile for every child with SLCN is different and their needs may change over time. They may have difficulty with one, some or all of the different aspects of speech, language or social communication at different times of their lives. Children with autism, including Asperger's Syndrome, are likely to have particular difficulties with social interaction. They may also experience difficulties with language, communication and imagination, which can impact on how they relate to others.

Communication and Interaction needs include:

- Speech, language and communication needs (SLCN)
- Autism (including Asperger Syndrome)

Sensory and/or Physical needs

Some children require special educational provision because they have a disability and this prevents or hinders them from making use of the educational facilities generally provided. These difficulties can be age related and may fluctuate over time.

Many children with vision impairment (VI), hearing impairment (HI) or a multi-sensory impairment (MSI) will require specialist support and/or equipment to access their learning. Children with an MSI have a combination of vision and hearing difficulties. Some children with a physical disability (PD) require additional ongoing support and equipment to access all the opportunities available to their peers.

Sensory and/or physical needs include:

- Visual impairment (VI)
- Hearing impairment (HI – including Deaf and hearing impairment)
- Multi-sensory impairment (MSI - sometimes referred to as Deaf blind)
- Physical disability (PD).

A Graduated Response to SEND

Early Concerns

The progress made by all pupils is regularly monitored and reviewed and formal assessments take place once each term. The outcome of these assessments are discussed with the SENCo. Initially, concerns registered by teachers, parents or other agencies are addressed by appropriate differentiation within the classroom and a record is kept of strategies used on our My Plan and general planning. **All children are given a My Plan so as to enable us to share our targets for each child with the parents and other staff. A child with more significant needs will be registered on our SEND register.** This can be then used in later discussions if concerns persist.

How we identify and support pupils with SEN

All pupils' attainment and achievements are monitored by their teacher who is required to provide high quality teaching and learning opportunities differentiated for individual pupils. Where a pupil is making inadequate progress or falls behind their peers, additional support will be provided under the guidance of the class teacher. Adequate progress could:

- Be similar to that of peers;
- Match or better the pupils' previous rate of progress;
- Close the attainment gap between the pupil and their peers;
- Prevent the attainment gap growing wider.

Where pupils continue to make inadequate progress despite support and high quality teaching, the class teacher will work with the school's Special Educational Needs Coordinator (SENCo) to assess if a pupil has a significant learning difficulty and agree appropriate support. An overview of assessment tools and materials used in our school can be found in our **Assessment, Recording and Reporting Policy**.

In some cases it may be necessary to seek assessment by or advice from an external professional such as a specialist teacher or educational psychologist. This will always involve discussion and agreement with the pupil's parents.

When considering whether a pupil has a special educational need, any of the following may be evident:

- Makes little or no progress even when teaching approaches are targeted particularly in a pupil's identified area of weakness;
- Shows signs of difficulty in developing literacy or mathematics skills which result in poor attainment in some curriculum areas;
- Persistent emotional or behavioural difficulties which are not ameliorated by appropriate behaviour management strategies;
- Has sensory or physical problems and continues to make little or no progress despite the provision of specialist equipment;
- Has communication and /or interaction difficulties and continues to make little or no progress despite the provision of an appropriate differentiated curriculum.
- Has emotional or behavioural difficulties which substantially and regularly interfere with the pupil's own learning or that of the class groups, despite having an individualised behaviour support programme;
- Has SEND or physical needs that require additional specialist equipment or regular advice or visits by a specialist service;
- Has a communication and/or an interaction difficulty that impedes the development of social relationships and cause a substantial barrier to learning.

The Graduated Approach - Assess, Plan, Do and Review

Where a pupil is identified as having SEN, we will take action to support effective learning by removing barriers to learning and put effective special educational provision in place. This **SEN support** will take the form of a four-part cycle through which earlier decisions and actions are revisited, refined and revised with a growing understanding of the pupil's needs and of what supports the pupil in making good progress and securing good outcomes. This graduated approach is incorporated into the My Plan as applied to every child in the New School.

For pupils with low level special educational needs the cycle of **Assess, Plan, Do and Review** will fit into the regular termly assessment and planning cycle for all pupils and will be recorded on the My Plan, a copy of which would be given to the Headmistress who stores them and monitors progress. Termly meetings with the Headmistress are now known as Pupil Progress Meetings (previously Assessment Meetings). For those pupils with more complex needs or for whom a more frequent cycle needs to be employed, additional meeting dates will be set with both the Headmistress and the parents and will include the termly Pupil Progress Meetings.

- Assess**
- In identifying a pupil as needing **SEN support** the class teacher, working with the SENCo, should carry out a clear analysis of the pupil's needs. This should draw on the teacher's assessment and experience of the pupil, their previous progress and attainment, as well as information gathered from other areas of the school.
 - The pupil's development in comparison to their peers and national data should also be considered along with the parent's views and experience, the pupil's views and, if relevant, advice from external support services. These will be recorded on a DAF 2a 'My Plan'. The school and parents will meet, where appropriate, with other agencies including those from Health and Social Care to create and update the DAF 2a 'My Plan'.
 - This assessment will be reviewed regularly to ensure support and intervention are matched to need, barriers to learning are identified and overcome so that a clear picture of the interventions put in place and their impact is developed. With some areas of SEN, the most reliable method of developing a more accurate picture of need will be the way in which the pupil responds to an intervention.

- Plan**
- Parents, will meet with the class teacher and the SENCo to decide on the interventions and support to be put in place as well as the expected impact on progress and development. This will be recorded on a DAF 2a 'My Plan' with a date to review the plan. The date for review will depend on the level of need present.
 - The My Plan will clearly identify the areas of needs, the desired outcomes, the support and resources provided (including any teaching strategies or approaches that are required) and when the My Plan will be reviewed. A copy of this will also be stored on the pupil's file and in the Concern Folder
 - The support and intervention provided will be selected to meet the outcomes identified for the pupil, based on reliable evidence of effectiveness and will be provided by staff with appropriate skills and knowledge.
 - The My Plan will usually involve a contribution by parents so as to allow them to support school by reinforcing learning at home.
 - Where appropriate, the My Plan will detail the support from other agencies and how this will support the pupil in achieving the desired outcomes.
 - Parents will then be formally notified by letter when it is decided to provide a pupil with SEN support (although parents should have already been involved in the assessment of need).
 - **So, if it is agreed that a pupil requires SEN support, all parties meet and develop a My Plan detailing the support which will bring about the next part of the cycle –**

- Do**
- The class teacher remains responsible for working with the pupil on a daily basis and will work closely with any teaching assistants or specialist staff involved, to plan and assess the impact of support and interventions and how they can be linked to classroom teaching.
 - The SENCo will support the class teacher in the further assessment of the pupil's needs, in problem solving and advising on the effective implementation of support.
 - **The class teacher is responsible for the daily implementation of the plan and will contribute to –**

- Review**
- There will be a review of the My Plan on the date previously agreed. This review will evaluate the impact and quality of the support and interventions and include the views of the pupil and their parents.
 - Parents will be given information about the impact of the support and interventions provided enabling them to be involved with planning the next steps. Where appropriate other agencies will be asked to contribute to this review.
 - Where a pupil has complex needs involving more than one agency it will depend on the pupils needs and the frequency of the educational reviews as to whether external agencies attend each educational review, this will be agreed at the initial DAF meeting.
 - This review will feedback into the analysis of the pupil's needs, then the class teacher, working with the SENCo, will revise the support in light of the pupil's progress and development, with decisions on any changes made in consultation with the parent and the pupil.
 - Where there is a sustained period of insufficient or no progress, the school may decide to gain involvement and advice from a specialist or external agency. The school will consult with parents before involving a specialist or external agency.

Exit Criteria

When a pupil has made sufficient progress in their area of need that they no longer require any provision that is ***different from*** or ***additional to*** that which is normally available as part of high quality and differentiated teaching, they will no longer be seen as requiring SEN Support. At this point, through discussion and agreement with parents the pupil will be removed from the school's SEN register.

Statutory Assessment of Needs (EHCP)

Where, despite the school having taken relevant and purposeful action to identify, assess and meet the Special Educational Needs and/or Disabilities of the pupil, the child has not made expected progress, the school or parents should consider requesting an Education, Health and Care (EHC) needs assessment. The evidence gathered through the regular review of the DAF 2a My Plan will help the Local Authority (LA) in determining when this statutory assessment of needs is required.

Where a pupil has an Education Health and Care Plan (EHCP), the Local Authority must review the plan **every twelve months as a minimum**. Schools have a duty to co-operate so the New School will hold annual review meetings and complete the appropriate paperwork for this process.

Monitoring and Evaluation of SEND

Regular monitoring of the quality of provision for all pupils including those with SEND follows the schools assessment and monitoring calendar. In addition the cycle of Assess, Plan, Do and Review ensures that pupils with SEND have their individual provision reviewed regularly, and at least termly. Additional training, advice and support will be provided to teaching staff where necessary in order to facilitate pupil progress and to meet pupil needs.

Pupil progress is tracked termly and where pupils are not making sufficient progress additional information is sought and appropriate action taken.

Supporting Pupils and Families

We value and accept the positive role and contribution parents can make. We make every effort to work in full co-operation with parents, recognising and respecting their roles and responsibilities. Parents are encouraged to work with the school and other professionals to ensure that their child's needs are identified properly and met as early as possible.

In order that they play an active part in their child's development, the school endeavours to provide parents with the relevant information so they can reinforce learning in the home.

At the New School we endeavour to support parents so that they are able to:

- Feel fully supported and taken seriously should they raise a concern about their child
- Recognise and fulfil their responsibilities and play an active and valued role in their child's education
- Understand procedures and documentation
- Make their views known about how their child is educated
- Have access to information, advice and support during assessment and any related decision-making process about special educational provision.

Parents of a child with SEN support will have the opportunity to meet with the SENDCo at least three times a year formally. The SENDCo is happy to meet with parents, without prior arrangement, whenever possible.

Parents are encouraged to seek help and advice from Independent Information Advice and Support services, including Devon Parent Partnership (DPP). These are able to provide impartial and independent advice, support and information on special educational needs and disabilities. Parents are also encouraged to visit the Devon County Council Local Offer website www.devon.gov.uk/send. This website provides valuable information about different agencies, services and resources for children, young people with SEND and their families in addition to school resources and information.

Children in Care:

When a child is in care, the carers are accorded the same rights and responsibilities as parents. The school has an appointed member of staff for Looked after Children.

Pupil Voice

We hold the views of pupils highly and recognise the importance of gaining genuine pupil views in promoting the best pupil outcomes. Pupils are able to share their views in a number of different ways (appropriate to age and ability).

These views are welcome at any time but are specifically sought as part of their annual review, as part of their Pupil Progress Meetings and at the end of a targeted intervention. We ask all pupils to contribute to the setting of their own outcomes. This does not mean that pupils attend meetings as they do not; their views are sought, where appropriate beforehand.

Partnership with External Agencies

The New School is supported by a wide range of different agencies and teams. The schools SEN Information report details which agencies the school have worked with in the last 12 months. This report can be found on the school website and is up-dated annually.

Transition

A change of school, class and staff can be an exciting, yet anxious time for all pupils. We recognise that this can be very challenging for some pupils with SEND. We endeavour to make sure these periods of change are carefully managed in a sensitive way to provide continuity of high quality provision and reassurance to pupils and families. Our processes for transition are explained further in the **Transition Policy**

Training and Resources

- Resources are allocated to support children with identified needs as identified previously.
- Each year we map our provision to show how we allocate support staff to each year group; this is reviewed regularly and can change during the academic year, responding to the changing needs within our classes.
- This support may take the form of differentiated work in class, support from a Teaching Assistant (TA) in focused intervention in groups, or for individuals.
- Specialist equipment, books or other resources that may help the pupil are purchased as required

Continuing Professional Development (CPD) for Special Educational Needs

- The progress of all pupils (including those with SEND) is a core aspect of the appraisal process and appraisal targets will look at how to develop staff skills in meeting individual pupil needs as necessary.
- External trainers/advisors are brought in periodically to address more specialist training needs such as dealing with speech therapy support or behavioural issues.
- Peer support and guidance is available daily for all staff in school and some of the best training development occurs through professional dialogue with colleagues looking at meeting the specific needs of a pupil.

Funding

Funding for SEN in mainstream schools is mainly delegated to the schools' budget. As an independent school, we endeavour to meet the needs of the pupils by utilising TAs appropriately and aim to provide appropriate intervention. Where a pupil requires an exceptionally high level of support that incurs a greater expense, the school may approach the parents for additional financial support but this has not applied to any situation to date.

Personal Budgets

Personal Budgets are only available to pupils with an Education, Health and social Care Plan (EHCP) or pupils who are currently under-going a needs assessment for an EHCP. Funding can be made available to parents as a personal budget for them to commission their own provision for their child under certain conditions. Parents who would like to enquire further about using the personal budget should speak in the first instance to the SENCO.

Roles and Responsibilities

Provision for pupils with special educational needs is a matter for the school as a whole. In addition to the Headmistress as SENDCo, all members of staff have important responsibilities.

Headmistress and proprietor:

The Headmistress has responsibility for the day-to-day management of all aspects of the school's work, including provision for children with special educational needs.

SENDCo:

In her role as SENDCo, the Headmistress determines the strategic development of the SEND policy and provision with the ultimate aim of raising the achievement of pupils with SEND.

The Headmistress as SENDCo takes day-to-day responsibility for the operation of the SEND policy and co-ordinates the provision for individual children, working closely with staff, parents and external agencies. The SENDCo provides relevant professional guidance to colleagues with the aim of securing high-quality teaching for children with special educational needs.

Through analysis and assessment of children's needs, and by monitoring the quality of teaching and standards of pupils' achievements and setting targets, the SENDCo, along with staff, develops effective ways of overcoming barriers to learning and sustaining effective teaching.

The SENDCo liaises and collaborates with class teachers so that learning for all children is given equal priority.

The principle responsibilities for the SENDCo include:

- Overseeing the day-to-day operation of the SEND policy
- Co-ordinating provision for SEND pupils and overseeing progress
- Advising on the graduated approach to providing SEN support – Assess, Plan, Do, Review
- Advising on the deployment of the school's budget and other resources (such as staffing) to meet pupils' needs effectively
- Monitoring relevant SEN CPD for all staff
- Overseeing the records of all children with special educational needs and ensuring they are up to date
- Liaising with parents of children with special educational needs
- Contributing to the in-service training of staff
- Being a point of contact with external agencies, especially the local authority and its support services
- Liaising with early years providers, other schools, educational psychologists, health and social care professionals and independent or voluntary bodies
- Liaising with potential next providers of education to ensure a pupil and their parents are informed about options and a smooth transition is planned
- Monitoring the impact of interventions provided for pupils with SEND, usually at termly pupil progress meetings
- To lead on the development of high quality SEND provision as an integral part of the **school improvement plan**
- Ensures that the school meets its responsibilities under the Equality Act (2010) with regard to **reasonable adjustments and access arrangements**

All Teaching and Non-Teaching Staff:

- All staff are aware of the school's SEND policy and the procedures for identifying, assessing and making provision for pupils with special educational needs.
- Class teachers are fully involved in providing high quality teaching, differentiated for individual pupils. This includes reviewing and, where necessary, improving, their understanding of strategies to identify and support vulnerable pupils and their knowledge of the SEN most frequently encountered.
- Class teachers are responsible for setting suitable learning challenges and facilitating effective special educational provision in response to pupils' diverse needs in order to remove potential barriers to learning. This process should include working with the SENDCo to carry out a clear analysis of the pupil's needs, drawing on the teacher's assessment and experience of the pupil as well as previous progress and attainment.
- Teaching assistants will liaise with the class teacher and SENDCo on planning, on pupil response and on progress in order to contribute effectively to the graduated response, (assess, plan, do, review).

Meeting Medical Needs

The Children and Families Act 2014 places a duty on schools to make arrangements to support pupils with medical conditions. Individual healthcare plans will normally specify the type and level of support required to meet the medical needs of such pupils.

Where children and young people also have SEND, their provision should be planned and delivered in a co-ordinated way using the DAF paperwork. For those pupils with an EHCP this will be used as it brings together health and social care needs, as well as their special educational provision.

The school recognises that pupils at school with medical conditions should be properly supported so that they have full access to education, including school trips and physical education. Some children with medical conditions may be disabled and where this is the case the school will comply with its duties under the Equality Act 2010. **Please see the schools Medical Policy for further details.**

Children in Hospital

The member of staff responsible for ensuring that pupils with health needs have proper access to education (ie the child's class teacher) will liaise with other agencies and professionals*, as well as parents, to ensure good communication and effective sharing of information. This will enable optimum opportunities for educational progress and achievement.

* E.g. *medical agencies, Hospital School, DPLS*

SEND Information Report

The school will ensure that the SEND information is assessable on the school website. The proprietor has a legal duty to publish information on the school website about the implementation of the policy for pupils with SEN. The information published will be updated annually and any changes to the information occurring during the year will be updated as soon as possible.

Accessibility

The school is compliant with the Equality Act 2010 and Accessibility legislation. It is accessible for wheelchair users as the school is only on ground floor level. The New School works hard to develop accessibility and the schools' accessibility plan detailing how this is being developed can be accessed from the school website.

Storing and Managing Information

Pupil SEND records are kept in accordance with DfE guidance "Statutory Policies for schools" (Feb 2014) https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/284301/statutory_schools_policies.pdf

Responding to Complaints

In the first instance, parent complaints about the provision or organisation of SEND are dealt with through the procedures outlined in the School's Complaints Policy. If there continues to be disagreement with regard to SEND provision the Local Authority should make arrangements that include the appointment of independent persons with a view to avoiding or resolving disagreements between the parents and the school. This includes access to mediation before tribunal. Parents have a right to appeal to a SEND tribunal at any stage.