Virtual Learning uk

TITLE	VERSION
Special Educational Needs and Disabilities (SEND)	5

APPROVAL BODY	DATE	REVIEW DATE
Board of Governors	August 2026	August 2027

LEAD PERSON	Director of Operations

POLICY STATEMENT

VLUK is committed to providing appropriate Special Educational Needs and Disabilities (SEND) support to learners and believes all learners should be able to access the curriculum, learning, and formal examinations in the way that best suits their needs.

BACKGROUND

VLUK is a National Independent Training Provider, delivering education in the 16-19 FE sector. It is part of The Oxford Virtual Education Group. VLUK is led by a Chief Executive Officer, accountable to a Board of Governors and Group Chief Executive Officer and supported by an Executive team and a Senior Leadership Team (SLT). Accountable to the SLT is a layer of middle management located throughout the country. The Middle Leadership team is responsible for tutors and enrichment staff.

PURPOSE

This document outlines VLUK's commitment to provide appropriate SEND support to learners. It outlines the responsibilities of staff within VLUK, and aims to:

- Set out how VLUK supports and makes provision for learners with special educational needs and disabilities (SEND).
- Explain the roles and responsibilities of everyone involved in providing for learners with SEND.
- Clarify the legal rights of post-16 learners as the primary decision-makers regarding their support, information sharing, and provision under the SEND framework.
- Ensure full compliance with the Equality Act 2010, the SEND Code of Practice (0–25), Children and Families Act 2014, Department for Education (DfE) Funding Rules, and the JCQ Regulations for Access Arrangements and Reasonable Adjustments (AARA)

SCOPE

This policy applies to all staff at VLUK from Governors, Executive & Senior Leadership Teams, Middle Leaders, Tutors, Support Staff, and Examination Staff. It applies to all learning environments, internal assessments, external qualifications, work experience, industry placements, and enrichment activities administered across VLUK.

DEFINITIONS

SEND: A learner has SEND if they have a learning difference or disability that calls for special educational provision to be made for them.
Disability (Equality Act 2010): A physical or mental impairment that has a 'substantial' and 'long-term' negative effect on a person's ability to do normal daily activities.
Special Educational Provision: Educational or training provision that is additional to, or different from, that made generally for other young people of the same age.
Access Arrangements (JCQ): Pre-examination adjustments agreed before an assessment takes place to allow candidates with special educational needs, disabilities, or temporary injuries to access the examination without changing the demands of the assessment (e.g., extra time, reader, scribe, rest breaks).

Normal Way of Working: The established, regular manner in which a learner works within the classroom, during internal assessments, and in mock examinations.
Post-16 Young Person's Rights: Under the SEND Code of Practice (0–25), young people aged 16–19 hold the right to make decisions about their education, support, and Education, Health and Care Plans (EHCPs), supported by their family/carers where the young person agrees.

RESPONSIBILITIES

Board of Governors	Reviews and challenges the effectiveness of internal controls, compliance, statutory SEND obligations and risk management detailed in this policy.
Chief Executive	Overall responsibility and oversight of this policy and ensuring resources are used effectively and appropriately. Ensures VLUK complies fully with DfE funding guidelines, statutory post-16 obligations, and JCQ regulations for approved centres
Lead Person	Determines the strategic development of the SEND policy and provision.
SENCO	Accountable for the day-to-day operation of this SEND policy, coordination of provision, and management of EHC plans. Provides professional guidance to staff, learners, parents/carers, and external agencies. Leads the graduated approach to SEND support and manages additional learning support mechanics. Serves as the primary point of contact for Local Authorities, health and social care services, and awarding bodies. Works with the Director of Operations, Senior Quality Leads, and Examinations Officers to ensure compliance with the Equality Act 2010 and JCQ Access Arrangements guidelines. Formally manages and responds to all Local Authority EHCP Section 41 consultations within the statutory 15-calendar-day deadline. Oversees the completion of JCQ Form 8 / Form 9 processing and supports applications via Access Arrangements Online (AAO) prior to JCQ published deadlines. Maintains complete, audit-ready JCQ Access Arrangement files for a minimum of 26 months following application approval, available for JCQ Inspection Officers upon request.
All tutors	All tutors are teachers of SEND. Tutors take primary responsibility for the progress, learning, and well-being of every learner in their class through high-quality adaptive teaching, accessible resources, and inclusive classroom environments. Work closely with the SENCO and learners (and, where appropriate with the young person's consent, parents/carers) to co-produce, implement, and regularly review Learner-Centred Plans (LCPs). Direct and collaborate with Support Staff/Teaching Assistants (TAs) to ensure interventions supplement, rather than replace, tutor-led instruction. Continuously monitor learner progress against starting points and submit timely referrals to the SENCO when unexpected gaps or unidentified needs emerge. Ensure agreed adjustments and adaptive strategies are applied during off-site placements and employer visits. Gather and document evidence of 'Normal Way of Working' in classroom settings to substantiate exam access arrangement applications

POLICY – POST-16 LEARNER CONSENT & DECISION MAKING

In accordance with Chapter 8 of the SEND Code of Practice (0–25) and the Children and Families Act 2014, when a young person reaches the age of 16, the legal rights regarding SEND provision transfer from the parents/carers directly to the young person.

- Direct Consultation: VLUK directly consults with the young person regarding their needs, support arrangements, and future aspirations.
- Consent & Information Sharing: Information regarding a learner's SEND support, EHCP, or academic progress will only be shared with parents, carers, or external parties with the explicit consent of the young person, unless there is a safeguarding risk or a lack of capacity determined under the Mental Capacity Act 2005.

- Family Engagement: VLUK welcomes the involvement of parents and/or carers in LCP reviews and planning, provided this aligns with the young person's wishes.
- Mental Capacity Protocol: Where there are reasonable grounds to doubt a young person's capacity to make a specific decision regarding their education or EHCP, a decision-specific Mental Capacity Assessment (MCA) will be conducted by the SENCO. If determined to lack capacity, decisions will be made in the young person's 'best interests', actively involving parents/carers and local authority officers

POLICY - THE GRADUATED APPROACH

- Learners with EHCPs are encouraged to declare their plan during application and via Local Authority consultations. The SENCO leads consultations with the learner, family (where agreed), and Local Authority to ensure VLUK can meet needs and support long-term Preparing for Adulthood (PfA) goals.
- Upon receiving a formal EHCP consultation from a Local Authority, VLUK will evaluate whether it can meet the learner's needs, whether the placement is compatible with the efficient education of others, and whether resources are available. Formal written responses will be returned to the Local Authority within 15 calendar days.
- Diagnostics, baseline assessments, and transfer files from previous schools/providers are reviewed upon enrollment to capture existing diagnoses and historical access arrangements.
- Tutors submit referrals to the SENCO at any point during the academic year if tracking data, classroom observations, or internal assessments indicate an unidentified learning need.

Assessing need

- The SENCO evaluates attainment gaps, baseline results, and contextual learner feedback.
- Level 7 Qualified Access Arrangement Assessors carry out formal testing to determine required exam adjustments. Access arrangements are only granted where testing is supported by documented evidence of the learner's Normal Way of Working in lessons and internal assessments.
- Form 8 or Form 9 documentation is completed prior to processing through Access Arrangements Online (AAO) ahead of published JCQ deadlines.
- Prior to formal assessment, tutors must provide documented evidence confirming that the requested adjustment reflects the candidate's 'Normal Way of Working' in lessons and internal assessments.

Planning (Person-Centred Co-Production)

- LCPs are co-created with the learner (and parent/carers where appropriate and consented to by the young person). Plans detail specific learning differences, practical classroom strategies, adaptive technology requirements, off-site/placement adjustments, and outcome-focused targets.

Preparing for Adulthood (PfA) Focus

Targets within LCPs and EHCP annual reviews are directly linked to the four PfA outcomes:

- Employment and higher education progression
- Independent living skills
- Community inclusion and participation
- Health and emotional well-being

Implementation

- LCPs are used in the planning and teaching of identified learners.
- Delivery relies first on high-quality, differentiated, and adaptive teaching strategies tailored to individual learning styles.
- Teaching Assistants and Support Staff are deployed strategically to build learner independence, facilitate access, and reinforce key concepts without creating reliance.

Reviewing progress and revising targets

- Learner progress is continuously reviewed against LCP targets and academic checkpoints.
- Where progress is below expectation, strategies are reviewed by the tutor and SENCO, and interventions are adapted.
- Formal statutory annual reviews are conducted for all EHCP holders, evaluating progress toward long-term outcomes with Local Authorities, multi-agency partners, and the young person.

FUNDING & ADDITIONAL LEARNING SUPPORT (ALS)

As an Independent Training Provider, VLUK funds and administers SEND support in accordance with Department for Education (DfE) 16–19 funding regulations:

- **Low-Level Additional Learning Support:** Non-complex learning needs, general adaptive teaching, and standard classroom adjustments are funded through VLUK's core 16–19 study programme allocation and disadvantage funding allocations.
- **High Needs Support:** Where a learner's assessed additional support costs exceed £6,000 per academic year, the SENCO works in partnership with the learner's commissioning Local Authority to establish a costed support plan and secure High Needs Place Funding (Element 2) and/or Top-Up Funding (Element 3).
- **ILR Data Recording:** All additional support provided is accurately recorded on the Individualised Learner Record (ILR) to ensure full DfE funding compliance and audit readiness.

POLICY - EVALUATING THE EFFECTIVENESS OF SEND PROVISION

The effectiveness and impact of SEND provision across VLUK are evaluated by examining outcomes, learner independence, and quality of education, including:

- Destination & Progression Metrics: Tracking long-term learner progression into sustained employment, further/higher education, apprenticeships, or independent living pathways.
- Academic & Skill Outcomes: Comparing retention, achievement, and value-added progress data for SEND learners against national benchmarks and non-SEND peers.
- Quality of Inclusive Delivery: Evaluating adaptive teaching practices through regular lesson observations, SEND deep dives, and learning walks.
- Learner & Stakeholder Voice: Gathering direct feedback via learner questionnaires, and parent/carer feedback mechanisms to assess self-advocacy and learner satisfaction.
- Strategic Oversight: Incorporating the annual SENCO review directly into the organisation's Self-Assessment Report (SAR) and Quality Improvement Plan (QIP) to drive continuous quality enhancement.

COMPLAINTS

Complaints regarding SEND provision or access arrangements at VLUK should be directed to the SENCO via the dedicated email address (senco@vluk.org) in the first instance. If unresolved, please refer to the VLUK Comments & Complaints Policy.

Learners and parents/carers also maintain the right to make disability discrimination claims to the First-tier Tribunal (SEND) if they believe VLUK has discriminated against them regarding exclusions, educational provision, or failure to make reasonable adjustments/auxiliary aids.

REFERENCES

JCQ Regulations: *Access Arrangements and Reasonable Adjustments (AARA)*
JCQ Regulations: *General Regulations for Approved Centres*
Special Educational Needs and Disability Code of Practice: 0 to 25 years (2015)
Equality Act 2010
VLUK Learner Support Policy
VLUK Quality Assurance and Improvement Policy
VLUK Comments & Complaints Policy
Children and Families Act 2014
Mental Capacity Act 2005
DfE 16-19 Funding Regulation & High Needs Funding Rules

SIGNATORIES



Chief Executive Officer
1st August 2026



Chair of Governors
1st August 2026