

# Leicestershire's Framework for Promoting Inclusion and effective SEN practice through 'Best endeavours' and 'Reasonable adjustments' in mainstream schools

## Introduction

Leicestershire County Council is committed to achieving the best outcomes for children and young people (CYP) with SEND and to enabling them to be successfully included in their community.

Whilst we are committed to ensuring that there are sufficient places in specialist services, we know that the majority of CYP with SEND are educated in mainstream schools. Our strategic aim is to develop and sustain a high quality inclusive mainstream education offer for all CYP with SEND in Leicestershire, working in partnership with schools and families to achieve this.

There are many schools in Leicestershire that are highly inclusive, and already offer excellent provision for CYP with SEND, and we want to build on that good practice. We know however, that Leicestershire currently makes higher than national average use of Independent Specialist Providers (ISPs), and we are also experiencing high levels of demand for education health and care plan (EHCP) assessments. We believe that the needs of some children currently accessing specialist provision could and should be met in mainstream settings. We are confident that if the right support and breadth of provision is put in place, many more children can be successfully educated in their local schools alongside their non-SEND peers.

We are committed to working in partnership with schools to build capacity, expertise and a commitment to inclusion, in order to increase our ability to identify need and put support in place earlier. This should improve the quality of our offer to all pupils with SEND, irrespective of whether or not they have an EHCP, and ensure that needs are met in the environment that is best for the CYP, mainstream wherever possible and specialist when necessary.

## The National Context

In the last 10 years we have experienced the most comprehensive reform of Special Educational Needs in a generation. In considering and developing our provision for pupils with SEND, there are 2 key pieces of legislation which need to be taken into account – The Equality Act (2010), and subsequent amendment (2012) which introduced '**Reasonable Adjustments**' and the Children and families Act (2014, which identifies schools' responsibilities in relation to '**Best endeavours**'.

## **'Best Endeavours' and 'Reasonable Adjustments' within Leicestershire**

In the past, a lack of shared understanding about what we mean by these two terms, has meant that it has been difficult to effectively support schools either to meet their responsibilities, or to provide effective challenge where they do not. This framework and its supporting guidance document, which has been co-produced with schools, SENDCOs, local authority staff and parents and carers, is intended to clarify what we mean by these terms and to support us in ensuring the legislation is consistently applied to support the best possible outcomes for our children with SEND.

### **Purpose of the Framework.**

The aim of this Framework, which will be piloted and amended in line with feedback over time, is to support mainstream schools and the local authority to understand and consistently meet our shared responsibilities within the legislative framework, promoting effective inclusive practice and enabling children with SEND to achieve and thrive. It will support decision making about what constitutes appropriate 'best endeavours and/or reasonable adjustments' to meet the needs of a CYP with SEND within mainstream settings and ensure that those decisions are based on a rationale which is clear, transparent and consistently applied. It is intended to:

- Support shared understanding amongst schools and all agencies and staff on the application of best endeavours and reasonable adjustments duties.
- Support schools and the local authority to work together to put appropriate provision/practice/services and/or resources in place to ensure that pupils with SEND are not disadvantaged in comparison with their non-SEND/non-disabled peers.
- Provide a process by which schools, the local authority and /or parents can raise concerns that 'best endeavours and/or reasonable adjustments' may not be in place.
- Identify the process for decision making and the criteria which supports this process.
- Support an evaluation of the application of 'best endeavours' or 'reasonable adjustment', focussing on the impact on the CYP, with a view to securing consensus, where appropriate, about what actions need to be taken and by whom to facilitate positive outcomes.
- Where there is no consensus, support us in making decisions as to whether there has been a failure to apply 'best endeavours' or 'reasonable adjustment', and what actions need to be taken and by whom to remedy this.
- Set out the steps that will be taken by us as a local authority to meet our responsibilities, both to provide services and provision, and to support, and where appropriate challenge schools, where it is deemed there has been a failure either to apply 'best endeavours' and/or reasonable adjustments' and/or to take the remedial action identified through the application of this process in a timely manner.
- Ensure that any judgments made are set within a clear framework and underpinned by a transparent rationale, with an effective process for conflict resolution where appropriate.

This Framework is supported by a suite of guidance documents to aid decision making and exemplify expectations in relation to effective SEND practice.

## Principles:

- The child/young person and their family is at the heart of what we do. Their views, wishes and aspirations are always taken into account.
- All children and young people with SEND can expect to be treated fairly and have their needs met.
- The curriculum offer is appropriate, accessible and focuses on securing outcomes which matter to the CYP and will support positive future lives.
- Our focus is on difference and not deficit, and we are committed to ensuring that 'best endeavours' and 'reasonable adjustments' are used effectively to maximise progress and secure positive outcomes.
- We have high expectations and promote positive attitudes to SEND.

## Terminology

Throughout this document the term 'school' is used to refer to Early years' schools, schools and FE colleges. Children and young people are referred to as CYP.

## The Legislative context

### The Children and families Act and associated Code of practice 2014

The Children and Families Act 2014, and associated SEND Code of Practice,<sup>1</sup> which came into force on 01 September 2014, aims to ensure that children and young people with disabilities achieve well, have choice and control over their support and are enabled to progress from education into happy and fulfilling lives, including employment.

The Act enshrines the importance of ensuring that young people and their families are fully involved in decisions about their support and the outcomes they want to achieve. The legal framework is designed to join up support across education, health and care, from birth to 25 by bringing about key changes to the way in which departments, providers and practitioners work together to facilitate this. The expectation is that these changes will result in improved outcomes for children and young people and ensure that their experiences will be of a system which is less confrontational and more efficient than in the past.

### Best endeavours

The Children and Families Act 2014 and associated SEND Code of Practice (2014)<sup>2</sup> states that:

*'Mainstream schools **must** use their best endeavours to make sure that a child with SEN gets the support they need – this means doing everything they can to meet children and young people's SEN'.*

SEND CoP 6.2 pg.92

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<sup>1</sup> Department for Education and Department of Health (2015), [Special educational needs and disability code of practice: 0 to 25 years. Statutory guidance for organisations who work with and support children and young people with special educational needs and disabilities.](#)

<sup>2</sup> [SEND code of practice: 0 to 25 years \(2014\)](#) DFE

This duty applies irrespective of whether or not the CYP has an EHCP. Although there has been less legal challenge about what this means than one might have expected, nonetheless, it is a requirement with legal status. There is value in identifying what we mean and expect by 'Best endeavours' in Leicestershire.

Within the code of practice, the terms 'must' and 'should' are used to differentiate between duties (i.e. legal requirements) and 'expectations'. This framework and the supporting guidance documents will consider what we mean by 'Best Endeavours', with reference to both duties (musts) and expectations (should) in relation to Leicestershire's 'graduated response'.

### **The Equality Act (2010)**

Schools and education authorities have had a duty to provide reasonable adjustments for disabled pupils since 2002: originally, under the Disability Discrimination Act 1995 (the DDA 1995); and, from October 2010, under the [Equality Act 2010](#). From 1 September 2012, the reasonable adjustments duty for schools and education authorities includes a duty to provide auxiliary aids and services for disabled pupils.

### **Reasonable adjustments**

The [Reasonable Adjustments for Disabled Pupils Guidance for Schools in England](#)<sup>3</sup> requires schools:

*'to take such steps as it is reasonable to have to take to avoid the substantial disadvantage' to a disabled person caused by a provision, criterion or practice applied by or on behalf of a school, or by the absence of an auxiliary aid or service.'*

(Reasonable Adjustments for Disabled Pupils Guidance for Schools in England (2015) pg.3)

The reasonable adjustments duty is triggered only where there is a need to avoid 'substantial disadvantage'. 'Substantial' is defined as being **anything more than minor or trivial**. Whether a disabled pupil is at a substantial disadvantage or not will depend on the individual situation.

In the Reasonable Adjustment guidance, the term 'school' is used to refer to both schools and local authorities, so this is a shared responsibility. This responsibility is also referenced in the [SEND Code of Practice \(2014\)](#), which states that schools **must**:

*'make reasonable adjustments, including the provision of auxiliary aids and services, to ensure that disabled children and young people 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 and young people might require and what adjustments might need to be made to prevent that disadvantage'.*

Send CoP pg.17

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<sup>3</sup> Reasonable Adjustments for Disabled Pupils Guidance for Schools in England (2015) Equality and Human Right Commission

There are three elements to Reasonable adjustments:

- **Provisions, criteria and practices** – this relates to the way in which a school operates on a daily basis, including its decisions and actions.
- **Auxiliary aids and services** – this generally means anything that constitutes additional support or assistance for a disabled pupil, such as a piece of equipment or support from a member of staff
- **Physical features** – whilst this element doesn't apply to schools in relation to disabled pupils, they do have a duty to plan better access for disabled pupils generally, including in relation to the school's physical environment.

## **Leicestershire's approach to determining whether a duty re 'best endeavours' and/or 'reasonable adjustments' applies**

### **Who does it apply to?**

Whilst 'Reasonable adjustments' applies to disabled pupils as defined in the Equality Act 2010, the Code of Practice applies to CYP with SEND. The Equality Act says that a pupil has a disability if he or she has a physical or mental impairment that has a **long-term and substantial adverse** effect on his or her ability to carry out normal day-to-day activities. The Code of Practice identifies that:

*'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<sup>4</sup>, and long-term health conditions such as asthma, diabetes, epilepsy, and cancer. Children and young people with such conditions do not necessarily have SEN, but there is a significant overlap between disabled children and young people and those with SEN. Where a disabled child or young person requires special educational provision, they will also be covered by the SEN definition.'* CoP (2015) xviii. Pg.16

Some disabled pupils will also have special educational needs (SEN) and may be receiving SEN support or have an EHC plan. The fact that a disabled pupil has SEN Support, or an EHC plan does not take away a school's duty to make reasonable adjustments for that pupil. In practice, of course, many disabled pupils who also have SEN Support or an EHC plan will receive all of the support they need through the SEN framework and there will be nothing extra that the school has to do. However, some disabled pupils will not have SEN and some disabled pupils with SEN will still need reasonable adjustments to be made for them, in addition to any support that they receive through the SEN framework. Schools should therefore consider whether there is a 'best endeavours' and/or 'reasonable adjustments' duty for all CYP with a SEND, irrespective of whether or not they have an EHCP plan or are on SEN support.

For this reason, in the framework and supporting guidance **we do not distinguish between whether the action taken to support a pupil to achieve and thrive falls under best endeavours' or 'reasonable adjustments'**. Instead, we consider the impact it has on the CYP.

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<sup>4</sup> More guidance on the definition of disability is available online at [www.equalityhumanrights.com](http://www.equalityhumanrights.com).

Best endeavours/ Reasonable adjustments are effectively the first tier of putting in appropriate support to meet SEND. Wherever there is concern about progress or wellbeing, consideration should always be given as to whether the concern may be related to an undiagnosed/ unrecognised SEND. Recognising this and taking appropriate action to address it would fall within the 'best endeavour /reasonable adjustment duty'. It is important to be aware therefore, that although it is a possible outcome of the process, **a CYP does not need to be on SEN support register or have an EHCP before consideration is given to the relevance of 'best endeavours/ reasonable adjustments.'**

### **How do we apply it?**

Within the code of practice, the terms 'must' and 'should' are used to differentiate between duties (i.e. legal requirements) and 'expectations'. Within Leicestershire, we are expecting that in order to deliver 'Best endeavours', schools will be able to evidence that they are meeting the vast majority, if not all of the expectations set out in the code – the 'shoulds'.

Inevitably, there will be some overlap between 'Best endeavours' and 'Reasonable adjustments', but while 'shoulds' are recommendations, and therefore potentially discretionary, a reasonable adjustment is a 'must'.

Therefore, in order to determine when a 'should' under 'best endeavours' becomes a 'must' / a reasonable adjustment', the judgment relates to **whether or not the CYP is at a substantial disadvantage in comparison with non-disabled /non SEND peers, as a result of action taken, or not taken.** If so, the school is potentially in breach of the Equality Act and/or the Code of Practice.

**As with 'Reasonable adjustments', the disadvantage will be deemed to be 'substantial' when it is judged to be anything more than minor or trivial.** Whether a pupil with SEND is at a substantial disadvantage or not will depend on the individual situation

Therefore, in making judgments about what constitutes a 'reasonable adjustment' or a best endeavour' it will be important to take into account the context and individual circumstance of both the CYP and their school.

### **Supporting Guidance**

As noted above, in applying the legislative responsibilities associated with best endeavours/reasonable adjustments' it is important to take the context into account. All CYP are individuals and the 'best endeavours/reasonable adjustments' that are appropriate for them will depend upon the way in which their SEND affects them, and the context in which they are being educated.

The supporting guidance '**Promoting Inclusion and effective SEN practice through 'Best endeavours' and 'reasonable adjustments' A guide for schools'** has therefore been developed to support schools and the local authority in assessing the need for/ appropriateness of 'best endeavours/reasonable adjustments' and to provide a resource for schools to draw on in evaluating and developing their current SEND practice. It provides examples of what might reasonably be expected of schools in relation to 'best endeavours' and/or 'reasonable adjustments', in terms of both general SEND and with reference to specific areas of need.

The Supporting Guidance draws heavily on the Code of practice and as such provides a summary of the responsibilities the school has in relation to the Children and Family Act. It also exemplifies where and how the duties under the Equality Act might be applied.

### **Part 1 Applying Best Endeavours / Reasonable adjustments to SEND provision**

Part 1 Applying Best Endeavours / Reasonable adjustments to SEND provision, considers what might reasonably be expected of a mainstream school's overall SEND provision, in order to meet its responsibilities with respect to the legislative expectations associated with providing 'Best endeavours/Reasonable Adjustments'.

These expectations are considered in relation to:

- **People and Services** – providing general guidance relating to expectations in relation to best endeavours/reasonable adjustments for teaching assistants (TAs), teachers, SENDcos and leaders / head teachers, in terms of effective SEND practice (general).
- **Provision and practice** – considering a range of aspects which might impact on the quality of a schools SEND provision, such as curriculum and policy.
- **Environment** – considering what adaptations the school might reasonably be expected to make to accommodate the needs of its pupils with SEND.
- **Resources for learning** - this section, whilst not exhaustive, provides some examples of the types of resources for learning schools might reasonably be expected to provide for pupils with SEND out of their SEN budget.

It is anticipated that schools, governors, and parents of pupils with SEND might draw on this guidance to help them evaluate and develop their overall SEND provision, and to reassure themselves, that the schools is fulfilling its responsibilities in relation to SEND provision. Schools might also find it useful as a tool to help them to evaluate and develop effective inclusive practice.

### **Part 2 Applying Best Endeavours / Reasonable adjustments to specific areas of need'**

The duty to provide 'Best endeavours/reasonable adjustments' applies to both schools and local authorities. 'Part 2 Applying Best Endeavours / Reasonable adjustments to specific areas of need' therefore explores how this shared responsibility might be addressed, in relation to CYP with:

- Autism
- Blind and visual impairment
- Deaf and hearing impairment
- Dyslexia
- Physically disability
- Social, emotional and mental health needs (SEMH)

In addition, although not a specific need, part 2 includes guidance relating to pupils whose needs, whilst they might vary, would benefit from specialist assistive technology for education.

Within Leicestershire, the needs of these children are assessed by, and where they meet the criteria, supported by a team of specialist technicians -the Assistive Technology for Education Support Team referred to as **ATfEST**.

It is important to note that the guidance contained in **Promoting Inclusion and effective SEN practice through 'Best endeavours' and 'reasonable adjustments' A guide for schools** is illustrative of expectations, but not exhaustive. It is neither possible nor appropriate to set out every situation/context/ example whereby a reasonable adjustment or best endeavour should be applied. Judgments about the appropriateness of this must be determined on a case by case basis, taking the needs and situation of the individual CYP and their school context into account.

### **How the framework and Supporting guidance will work in practice to support the provision of best endeavours/reasonable adjustments.**

The Framework and Supporting guidance are designed to provide a useful resource to which schools, parents and/or the local authority might refer when identifying where, whether and how the duty to provide 'reasonable adjustments' or 'best endeavours' might apply. It provides a framework to support judgments about the adequacy of 'best endeavour/reasonable adjustment' put in place and helps identify what more needs to be done, where the judgment is made that a pupil has been substantially disadvantaged as a result of action taken or not taken, whether by the school or the Local authority.

It is anticipated that:

**Schools** may use the Framework and Supporting guidance as a reference to support them in identifying what 'best endeavours/reasonable adjustments' they might need to have in place in terms of generic special needs and/or with reference to a specific type of need. Where appropriate, schools should seek specialist expertise from relevant professionals, in line with their responsibilities as identified within the code of practice.

**Parents** may draw on the Framework and Supporting guidance to help them consider whether and/or what 'best endeavours/reasonable adjustments' they might reasonably expect a school to put in place to address their son or daughter's SEND.

**Local authority staff/relevant specialist experts** will ensure their advice and guidance, where appropriate, makes reference to the 'best endeavours/reasonable adjustments' a school should have in place to support the provision of high quality inclusive SEND provision and where appropriate specific actions/provision required to meet the needs of a particular pupil.

Visits to schools by local authority staff, such as the STS, may involve identifying and/or reviewing the 'best endeavours/reasonable adjustments' which are needed/have been put in place, with a focus on impact for children with SEND in general and/or the specific needs of a CYP depending upon the nature and purpose of their involvement.

Best endeavours/Reasonable adjustments are effectively the first tier of putting in appropriate support to meet SEND. Therefore, in order to progress any additional interventions, including requests for funding and/or requests for EHCP assessments. It is essential that the schools can evidence to the satisfaction of the Local authority that appropriate 'best endeavours/reasonable adjustments' have been put in place, and how this has impacted the CYP.

It is hoped that working in partnership, drawing on this guide, consensus can be secured about what 'best endeavours/reasonable adjustments' should be put in place, by whom and within what timescales.

In all cases, when considering judgments, although consideration is given to what has or has not been put in place, the focus must always be on how this has impacted on the CYP, and where this is negatively affecting progress and wellbeing, identifying what needs to be done to address this in a timely manner.

### **Process for determining the need for/adequacy and/or form of best endeavours/reasonable adjustments**

Where a concern about the progress and/or wellbeing of a CYP which may be related to a SEND, is identified, the following process will be applied:

#### **Step 1. A concern about the progress and/or wellbeing of a CYP which may be related to a SEND, is identified.** A concern:

- May be raised by a Parent/carer, SENCO, School, or Specialist expert e.g. Specialist Teacher/EP.
- Might relate to a CYP who has an identified SEND, in which case it is likely that concerns may relate to practice/ support – e.g. a concern that actions taken or not taken to support identified need is having a negative impact on progress/wellbeing or experience.
- Might be raised irrespective of whether or not the CYP currently has a diagnosed SEND.

**Step 2. A meeting is held to discuss the concern.** This is a relatively informal meeting, the aim of which is to develop shared understanding about the CYPs needs and facilitate consensus about next steps. The meeting should take the form of a supportive conversation between the relevant parties – this might be parent and SENDCO, SENDCO and head teacher, or SENDco/ school and/or where appropriate the relevant representative from the local authority, or any combination of the above appropriate to the CYP and context. Ideally this meeting should be held within 2 weeks of the concern being raised, unless for example, there are school holidays which preclude this.

**Step 3. Form A is completed with a view to establishing consensus around actions.** During the meeting, Form A, should be completed to reflect the discussions that have taken place and any actions agreed. Attendees might also wish to refer to the supporting guidance prior to and/or during the meeting. The Supporting Guidance provides examples of what might reasonably be expected of schools in relation to 'best endeavours' and 'reasonable adjustments', in terms of both general SEND and with reference to specific areas of need, and as such is a valuable reference tool to support an assessment of the need for/ appropriateness of 'best endeavours/ reasonable adjustments'.

It is expected that schools and attendees will refer to the relevant annotated template to support them in the effective completion of Form A.

Form A prompts attendees to jointly consider:

- Why the meeting has been called, who has raised the concern and what is the nature of that concern
- Whether these concerns are shared by others
- What the impact is on the CYP
- Whether this falls within the best endeavours/reasonable adjustments duty
- Where there is consensus that it does, what needs to be done, when by whom and within what timescales.
- What the process for review should be?

The preferred and intended outcome of the process is that consensus is established. It is anticipated that for the vast majority of cases, informal discussion, supported by the completion of Form A should secure agreement about the relevant course of action. The outcome is then implemented in a timely manner, and their impact monitored and evaluated by relevant parties.

Where this addresses the initial concern to the satisfaction of all, no additional action in relation to best endeavours and reasonable adjustments will be required at this stage.

In a minority of cases, however, consensus may not be secured. Where this is the case, the a more formal review is undertaken, as described under step 4.

#### **Step 4. Consensus is not secured.**

This may be the case where:

**A parent remains concerned**, but the school does not accept there is a SEND and/or that it needs to put a best endeavour/reasonable adjustment in place. In this case, the next step would be for the school to notify the local authority that a concern has been raised but not resolved, and the local authority will identify the most appropriate specialist to review the outcome. This person would then contact the school with a view to ascertaining where the dispute lies, and wherever possible, establishing consensus. The specialist will endeavour to achieve consensus, using Form B (see below), to include an agreement amongst all parties as to what should happen next. It is anticipated that in the majority of cases this would that in the majority of cases this would secure an agreement amongst all parties as to what should happen next. Any agreed actions would then be implemented, and the impact monitored.

If a consensus cannot be agreed at this stage, the specialist will refer to the Head of Service.

**A specialist remains concerned.** This is likely to occur where a CYP has a recognised SEND, and the specialist, such as an STS teacher is concerned that recommendations/ appropriate best endeavours/reasonable adjustments have not been put in place in a timely manner. In this case, the next step would be for the specialist to refer the concern on to their line manager, who would then contact the school directly with a view to ascertaining where the dispute lies, and wherever possible, establishing consensus, using Form B (see below).

The line manager would also be able to draw on their extensive experience of children with similar needs in similar settings. It is again anticipated that in the majority of cases this would secure an agreement amongst all parties as to what should happen next. Any agreed actions would then be implemented, and the impact monitored.

If a consensus cannot be agreed at this stage, the specialist will refer the case on to the Head of Service.

It is important to recognise that in every case, the aim of the process is to ensure that a pupil with SEND is not disadvantaged in comparison with his non SEND/non-disabled peers, and that appropriate resources, services, provisions and/or practice are put in place to enable him or her to succeed and thrive, wherever possible within the local mainstream school.

Therefore, the process should be one of collaboration and consensus, rather than confrontation, where all parties, the local authority included, seek to resolve the situation as creatively and collaboratively as possible.

## **Form B**

Form B is used where a concern has been raised but not resolved through an informal meeting using Form A. It will be completed by a specialist with relevant experience and expertise who will review existing information, seeking additional information where required, and come to a judgment.

It is expected that the reviewer will refer to the relevant annotated template to support them in the effective completion of Form B.

Form B prompts the specialist to:

- Review the original paperwork, including form A, and any other relevant documentation deemed relevant by the reviewer and/or other interested parties.
- Have a conversation with relevant parties to understand their views and gather any supporting evidence. This conversation may take place in phone or in person.
- Review the case with reference to the supporting guidance, to consider where/how the case sits in relation to reasonable expectations/summary of legislative responsibilities in relation to effective inclusive practice, as exemplified within the guide.
- Draw on their extensive experience of SEND within the authority to consider what provision has been made by similar schools for pupils with similar needs.
- Consider any other relevant sources of information to inform judgment.

Drawing on the above, the specialist reviewer will:

- Consider whether there is evidence to suggest that the concerns about the child are SEND related and well placed.
- Identify if/how the child is being affected and come to a judgment as to whether the CYP is at a substantial disadvantage in comparison with their non-SEND/non-disabled peers.
- Come to a judgment as to whether the concern falls within the 'best endeavours/reasonable adjustments' duty, and therefore requires action/s.
- And, where this is the case, make recommendation/s about what needs to be done, by whom and by when' to include details about what the process for review should be.

The completed form will be shared electronically with the school, who has two weeks to respond. The reviewer will have had regular contact with the school during the review process and so the outcome should not come as a surprise. It is therefore anticipated that for the vast majority of cases, actions can be agreed collaboratively, put in place and their impact monitored and evaluated by relevant parties.

Where the school does not agree with the recommendations, they are requested to outline their reasons on Form B and return it to LA within 2 weeks of receipt. The case will then be referred up to the Line manager, who will review all documentation, including the reasons why the school does not agree, undertake any additional investigations required, and confirm in writing whether they think the school is in breach of its responsibilities, and the action/s it will undertake/ expects the school to undertake within identified time scales in order to ensure the CYP is not disadvantaged in comparison with non-SEND/non-disabled peers.

In the unlikely event that a school fails to comply with requested actions under a 'failure to apply 'best endeavours' or 'reasonable adjustment' notice, the case will then be referred to the schools commissioner'