



1.2 Definition of Special Educational Needs and Disability (SEND)

The SEND Code of Practice: 0-25 years January 2015 states:

“A child or young person has SEN if they have a learning difficulty or disability which calls for special educational provision to be made for him or her.

A child of compulsory school age or a young person has a learning difficulty or disability if he or she:

(a) Has a significant greater difficulty in learning than the majority of others of the same age, or

(b) Has a disability which prevents or hinders him or her from making use of facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions.

A child under compulsory school age has a learning difficulty or disability if he or she is likely to meet the definition above or when of compulsory school age (or would be likely, if no special educational provision were made).”

- SEND Code of Practice, 2015, page 15

The extent to which a CYP may require ‘additional to and different from’ provision is viewed as dependent upon effective high-quality teaching and differentiation.

Many children and young people who have SEN may also have a disability under the Equality Act 2010 – that is ‘...a physical or mental impairment which has a long-term and substantial adverse effect on their ability to carry out normal day-to-day activities’.

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, 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.

However, it is important to note that because a CYP has a disability this does not necessarily mean that he/she has special educational needs.

The South Glos Way: A SEND and inclusion toolkit for South Gloucestershire education settings and professionals