**Children, Education and Skills Directorate**



**Guidance for placing pupils at SEN support for Moderate Learning Difficulties (MLD)**

**The SEN Code of Practice (2014) states that:**

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:

• has a significantly greater difficulty in learning than the majority of others of the same age, or

• 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

[SEND CoP](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND_Code_of_Practice_January_2015.pdf)

**Support for learning difficulties may be required when children and young people learn at a slower pace than their peers even with appropriate differentiation. Learning difficulties cover a wide range of needs, including moderate learning difficulties (MLD) …where children are likely to need support in all areas of the curriculum.**

**SEND CoP 6.30**

**Things to consider:**

* Is the gap in attainment, or lack of progress, due to teaching rather than SEN?
* Pupil’s progress over time as well as attainment.
* Effectiveness and appropriateness of additional and different provision.
* Attendance – school need to clarify whether lack of progress is due to an attendance issue or a learning difficulty?
* Extended holidays
* Other factors e.g. home circumstances, medical issues, social care, high mobility.
* Is EAL an issue?
* Is MLD the primary need?
* For children recently admitted you may need to check that information received is up to date and liaise with the previous school.
* Maturational issues – especially for younger children
* August birthdays – especially in KS1.

**SEND Mainstream Guidance** (Sept 2019) - Supporting children and young people who have special educational needs and disabilities (SEND) at SEN support in mainstream schools and settings.

All pupils are entitled to quality first teaching

Provision schools are expected to put in place for pupils at SEN support with cognition and learning difficulties. This section also contains information relating to specific learning difficulties (SpLD).

**SEND Code of Practice (2014) states that:**

Special educational provision is underpinned by high quality teaching and is compromised by anything less.

**Catch up provision:**

Small group intervention for children who can be expected to ‘catch up’ with their peers as a result of the intervention – that is, who do not have special educational needs related specifically to learning difficulties. Children included in catch up interventions may on occasion already be at SEN support. This will be where they have special educational needs such as SEMH, communication and interaction difficulties, sensory or physical impairment, for which they are receiving other forms of support.

**SEN provision**

Specific targeted approaches for individual children identified as requiring SEN intervention. The school’s notional SEN budget provides funding for pupils at SEN support.

**Next steps**

Once a pupil has been placed at SEN support the graduated response (assess, plan, do and review) should be followed and their progress should be monitored closely. If they attain age appropriate expectations, they should be removed from the SEN list, after consultation with parents.

Some pupils may require a significantly higher level of provision and a request for an EHC assessment may be required.

**Attainment guidelines - linked to Sir Charles Parsons Assessment and Recording Tool (SCART)**

The expectation would be that pupils are assessed as working at least two years below their peers.

For example, a pupil in year 5 working within the year 3 curriculum.

At the end of year 2 pupils would be working at pre-key stage 1 standards

At the end of year 6 pupils would be working at pre-key stage 2 standards

**Progress**

This should be in line with other pupils and measured from their starting point.

**Please note …**

There will always be exceptions as each pupil is an individual. These guidelines are intended to support and assist school judgements.

In psychological assessment terms the term MLD only applies to those who fall in the bottom 2% on a cognitive assessment.

**Other relevant documentation**

SEND Mainstream Guidance

Early Years assessment screens

Learning Difficulties assessment screen

Initial teacher concern form

**Guidelines for Cognition and Learning *(*MLD)**

**If a pupil is working within the purple phase, or below, school should use the above guidelines to help inform a decision as to whether they should be placed at SEN support for MLD.**

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **SCART Phase** | **5** | **6** | **7** | **8** | **9** | **10** | **11** | **12** | **13** | **14** |  |
| **End**  **Yr 1** |  |  |  |  |  |  |  |  |  |  |  |
| **End**  **Yr2** |  |  |  |  |  |  | **Expected level** |  |  |  |  |
| **End**  **Yr 3** |  |  |  |  |  |  |  |  |  |  |  |
| **End**  **Yr 4** |  |  |  |  |  |  |  |  |  |  |  |
| **End**  **Yr 5** |  |  |  |  |  |  |  |  |  |  |  |
| **End**  **Yr 6** |  |  |  |  |  |  |  |  |  |  | **Expected level** |
| **End**  **Yr 7** |  |  |  |  |  |  |  |  |  |  |  |

**REMEMBER**

**There will always be exceptions as each pupil is an individual. The grid and guidelines are intended to support and assist teacher judgements.**