Criteria for statutory assessment of children and young people with a visual impairment

Children’s Services Directorate
SEN Service

Spring 2018
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Introduction

These guidelines have been produced to clarify the level and range of needs for which an education, health and care (EHC) assessment is considered appropriate and where admission to specialist provision may be regarded as a possible placement. The criteria build on the general criteria for assessment provided in the Special Educational Needs and Disability (SEND) Code of Practice: 0 to 25 years issued by the Department for Education (DfE) in 2015. Decisions regarding statutory assessment and admission to specialist provision will be made as part of a continuing assessment and review process of individual children’s needs as recommended in the Code of Practice.

High quality teaching that is differentiated and personalised will meet the individual needs of the majority of children and young people. Some children and young people need educational provision that is additional to or different from this. This is special educational provision under Section 21 of the Children and Families Act 2014. Schools and colleges must use their best endeavours to ensure that such provision is made for those who need it. Special educational provision is underpinned by high quality teaching and is compromised by anything less.

Paragraph 1.24, SEND Code of Practice, 2015 (DfE)

Isle of Wight Council Children’s Services Special Educational Needs (SEN) Service continue to work to improve the way we address special educational needs, aiming to ensure that SEN resources are targeted efficiently, effectively and equitably for children and young people across the county through:

- an emphasis on early identification
- increased delegation of funding to mainstream schools and colleges via the SEN top up system.
- clear criteria for admission to special provisions
- active partnership with parents

The aims of the criteria are to:

- enable the local authority to identify, consistently and objectively those children and young people with the greatest level of need who may require an EHC assessment, an EHC plan and placement in specialist provision (on the mainland)
- provide clear guidance with regard to the level of SEN likely to be considered by the local authority to be sufficiently severe or complex to require an EHC assessment, an EHC plan and placement in a specialist provision
- provide consistency with the general guidance contained in the SEND Code of Practice.

The extent of a child or young person’s special educational needs is determined by the unique interaction between the individual child/young person and their educational environment. Whilst it is impossible to define criteria that reflect fully the complexity of
this interaction it is nevertheless necessary to formulate a range of objective criteria which can be applied as consistently as possible across the local authority. It is expected that professionals submitting evidence to the local authority will have regard to these criteria.

Decisions about whether or not to proceed with an EHC assessment and whether to issue an EHC plan will be based on careful consideration of the child or young person’s individual circumstances and in some case the cumulative effect on educational progress of a combination of special needs. The Special Educational Needs Panel will generally only recommend that a full statutory EHC assessment should be undertaken if they are satisfied the child/young person’s difficulties are severe, complex and long term and have not been resolved despite a range of well planned interventions and/or cannot be met from the resources already available to local mainstream schools and colleges. The importance of clear and full communication between early years settings, schools, colleges, the local authority, other statutory and voluntary agencies and, in particular, parents is something which all partners involved with assessment and placements wish to acknowledge. Support, especially in the early years, may also involve Health Services, Children’s and Adults’ Social Care Services and other providers. Close links and understanding of all those agencies involved are essential.

The criteria for the main categories of SEN are presented in separate documents to provide ease of use.

Criteria documents can be accessed online at www.iwight.com/localoffer

SEN Support

A college/school/pre-school setting must demonstrate that its actions have been purposeful, relevant and sustained prior to considering a request for an EHC needs assessment. Children/young people eligible for a statutory assessment will usually have been supported from within the provision’s local offer and with resources already available to them over a period of time including 2 assess/plan/review/cycles, and a graduated approach.

Actions taken by college/school/pre-school setting to differentiate the curriculum, provide quality teaching and additional targeted intervention to meet the child/young person’s need will be evident in Special Educational Needs Support Agreements (SENSA), provision maps, individual targets and evidence of having implemented advice from specialists.

The following evidence will be taken into account when a request for statutory EHC assessment is considered:

- The views of parents/carer and child/young person
- Background information on child/young person and family
- A holistic description of the child/young person strengths, his/her learning difficulties, special educational needs (under 4 main areas of SEN) and the impact on the learning of others
- Relevant and purposeful intervention from within the setting’s resources
• Details of the ‘plan, review and do’ process put in place to meet needs of the child/young person to include a clear description of progress made over a period of at least two terms. Plans should have clear outcomes and actions/interventions in place through the graduated response and should have clear entry and exit criteria and success measures

• Educational Psychology involvement must be included with evidence of implementation of advice to devise appropriate strategies and programmes with outcomes clearly recorded

• Evidence of the implementation of advice, with outcomes, from specialist outside agencies

• The checklist of evidence to be included.

Criteria for assessment

In a few exceptional cases, where a child has severe and complex learning and development needs, the extent of these will be self-evident. In such cases, requests for statutory assessment might be made prior to attending an early years provision or receiving a home tuition intervention programme, such as Portage Home Visiting. In such a case, there should be no need for reports from all the agencies involved with the child before a request for assessment can be agreed the SEN Panel. Only those with the most exceptional level of need will require an EHC plan. In line with national expectations approximately 2% of the pupil population whose needs are severe and complex will need the support of an EHC plan.

Although the four broad categories of needs as set out in the SEND Code of Practice will form the basis for decision-making, the local authority recognises there is a wide spectrum of special educational needs which are frequently interrelated. While threshold criteria have been set for each category of need, reference may be made to more than one category of need.

In schools, account will be taken of the first £6,000 (Element 2) of additional support that the DfE expects to be made from the schools’ delegated special educational needs funding.

In some exceptional circumstances, it may be possible for a combination of less severe SEN needs to have a cumulative effect which may call for special provision which cannot reasonably be provided within the resources normally available to mainstream settings.

The local authority should be expected to carry out a statutory EHC assessment for a child/young person only when:

• The child/young persons SEND are long term, severe and complex.

• The child/young person has not responded to sustainable, relevant and purposeful measures taken by the educational establishment.
The child/young person requires special educational provision that is additional to and different from provision normally available to mainstream maintained schools and settings and/or the provision cannot be met from within resources already available to mainstream schools and colleges in the area.

**Special Educational Needs Panel**

The Special Educational Needs Panel will give considered recommendations to the Local Authority Officer responsible for making decisions in relation to statutory assessment prior to making the final decision. The SEN Panel meets weekly (term time) and comprises: SEN Service Manager (Chair), Senior Special Needs Officer, SEN Caseworkers, Educational Psychologist, Headteacher’s Special and Mainstream, College representative, Speech and Language Therapy representative, Early Years Team representative and social care representative.

In reviewing the evidence, the SEN Panel will consider if sustained, relevant and purposeful actions have been taken, in particular whether the educational establishment has:

- Analysed the nature of the child/young person’s learning difficulties established his/her SEN, made appropriate provision over a sustained time (at least two terms), set and review appropriate strategies, targets and outcomes.
- Taken necessary actions to secure and record the views of the child/young person and his/her parents/carers and actively encouraged their involvement at all stages.
- Sought advice from an Educational Psychologist and appropriate specialist teachers.
- Sought the advice of relevant professions, ie medical professionals, social care professionals

SEN panel members will discuss whether or not to start an EHC assessment following consideration of a request, the panel will advise the local authority of their recommendations whether there is agreement to undertake a statutory assessment. The final decision, however, rests with the SEN Officer responsible for making such decisions. *If a request is refused, written explanation will be provided to the referrer and discussed with parents within 6 weeks from when the request is received by the local authority.*

It should be noted that for most children who present with complex needs, more than one set of indicative severity criteria might be considered. The SEN Panel will be mindful of all appropriate factors when advising the local authority to make a statutory EHC assessment or not.

**Areas of Need**

The 2015 SEND Code of Practice (0-25 years), identifies four broad areas of need:

Cognition and Learning (C&L)
- Moderate Learning Difficulties (MLD)
- Severe Learning Difficulties (SLD)
- Profound and Multiple Learning Difficulties (PMLD)
- Specific Learning Difficulties (SpLD)

Communication and Interaction (SLCN)
- Speech, Language and Communication (SLCN)
- ASD – including: Asperger’s Syndrome (which is also described as high functioning autism) and Autism

Social, Emotional and Mental Health Difficulties (SEMH)
- A wide range of social and emotional difficulties which may reflect underlying mental health difficulties or conditions

Sensory and/or Physical needs
- Visual Impairment (VI)
- Hearing Impairment (HI)
- Physical Disability (PD)

Criteria for visual impairment

Local authorities may develop criteria as guidelines to help them decide when it is necessary to carry out an EHC (Education, Health and Care) needs assessment.  
(Paragraph 9.16 Special Educational Needs and Disability (SEND) Code of Practice)

These criteria, set out below for Isle of Wight children/young people with a visual impairment are for guidance only. We anticipate they will apply in nearly all cases but will depart from them where individual circumstances warrant this.

In deciding whether or not to initiate a statutory assessment in respect of visually impaired children and young people, Isle of Wight Council will have regard to the evidence presented by parents and professionals indicating that there has been adherence to the principles of the SEND Code of Practice namely:

Whether there is evidence that despite the early years provider, school or post-16 institution having taken relevant and purposeful action to identify, assess and meet the special educational needs of the child or young person, the child or young person has not made the expected progress.  
(Paragraph 9.14 SEND Code of Practice)

Accordingly, Isle of Wight Council would expect evidence of:
• a process of planned intervention

• reasonable provision

• a severe and significant difficulty.

For the purposes of this document, any reference to the local authority can be taken as a reference to the County Council.

A process of planned intervention

The Council’s criteria rest on qualitative and quantitative evidence of appropriate planned intervention.

The range of needs associated with visual impairment vary according to the level of sight loss and extends from total blindness to partial sightedness; some conditions cause a progressive loss of vision over time which results in changing needs.

For some children/young people the inability to take part fully in school/college life causes significant emotional stress or physical fatigue. Many of these children/young people will require some of the following:

• Flexible teaching arrangements.

• Appropriate seating, and lighting.

• Adaptations to the physical environment of the school/college.

• Adaptations to school/college policies and procedures.

• Access to specialist equipment and software.

• Provision of tactile and kinaesthetic materials.

• Access to low vision aids.

• Regular and frequent access to specialist support.

For the children/young people with the most complex needs arising from visual impairment it is likely that the local authority will consider a statutory assessment to be necessary. The governing factors are probably the extent of specialist teaching or aids and adaptations which are required. However, for many children/young people with a lesser level of sensory or physical needs, intervention at SEN Support will be appropriate.

For children/young people with a visual impairment planned intervention is likely to focus on enabling access to the curriculum so that the child/young person can attain academic progress in accordance with their potential.

In consideration of academic attainment and progress we will take into account significant discrepancies between:

• a child’s/young person’s attainments in assessments and tests in core subjects of the Curriculum and the attainment of the majority of children/young people of their age
• a child’s/young person’s attainments in assessments and tests in core subjects of the Curriculum and the performance expected of the child/young person as indicated by a consensus among those who have taught and observed the child/young person, including their parents, and supported by such standardised tests as can reliably be administered

• a child’s/young person’s attainment within one of the core subjects of the National Curriculum or between one core subject and another

• a child’s/young person’s attainments in early learning goals in comparison with the attainments of the majority of their peers.

We will seek clear recorded evidence of the child’s/young person’s academic attainment and ask, for example, whether:

• the child/young person is benefiting from working on programmes of study relevant to the key stage appropriate to their age or from earlier key stages, or is the subject of any temporary exception from the Curriculum.

• the child/young person is working at a level significantly below that of their contemporaries in any of the core subjects of the Curriculum or the foundation stage curriculum

• there is evidence that the child/young person is falling progressively behind the majority of children/young people of their age in academic attainment in any of the Curriculum core subjects, as measured by standardised tests and the teachers’ own recorded assessments of a child’s/young person’s classroom work, including any portfolio of the child’s/young person’s work.

We will also consider whether the evidence points to under-attainment rather than special educational needs and thus whether there are alternative and more appropriate ways to support the child’s/young person’s access to learning, such as referral to health or social services.

Where the balance of the evidence presented to and assessed by the Council suggests that the child’s/young person’s learning difficulties and/or disabilities:

• are significant and/or complex

and

• have not been met by the relevant and purposeful measures taken by the school/college and external specialists

and

• may call for special educational provision which cannot reasonably be provided within the resources normally available to mainstream schools and colleges.

The Council will consider very carefully the case for statutory assessment of the child’s/young person’s special educational needs.
Reasonable provision

The school/college must be able to demonstrate that reasonable provision has been made to meet the needs of the child/young person at SEN Support. Advice about what will constitute reasonable provision is set out in the County Council’s document, *SEN Support: Guidance for early years providers, mainstream schools and colleges* and an extract is set out in Appendix 1.

Accordingly, reasonable provision will fall under four general headings:

**Assessment, Plan, Do and Review** – Identification of the child’s/young person’s strengths and needs, drawing on external advice for assessment and planning from a range of professionals likely to include:

- specialist teacher adviser
- educational psychologist
- paediatrician
- therapists
- outreach and centrally provided Council services
- Social worker

**Environment and Grouping** – might involve the provision of individual specialised equipment to support access and mobility targets, modified learning materials or use of information and communication technologies.

**Curriculum and Teaching** – a high degree of differentiation, daily individual support from teacher or learning support assistant.

**Resources, roles and responsibilities** – key staff who are supported by specific training and advice to deliver assistance with:

- access to work presented in the distance (eg board work) and modification of learning materials into large print or tactile format
- one to one support in practical activities and where safety is an issue
- self help skills and mobility and orientation skills.

Evidence to support statutory assessment should indicate the long term strategies recommended to meet the child’s/young person’s needs which are beyond routine resources normally available to mainstream schools and colleges.

**A severe and significant difficulty**

Children and young people who are blind or partially sighted and have a severe and significant need will typically have a combination of the following:

- Inadequate vision with which to read print.
- Reduced near vision requiring a print size of N24 or larger.
- Distance vision 6/30 to nil
- Severely reduced fields of vision.
- Other difficulties, for example a degenerative condition, loss of colour vision.

A child/young person is likely to be considered for statutory assessment when there is an impact of the visual impairment on:

- learning and attainments
- social and/or emotional well being and self confidence
- mobility around the school/college including access to areas of the curriculum.
- Independent living skills
- Language and communication

He/she will be dependent on the following:

- **Modification** of all curriculum materials into Braille or large print (N24 or larger) or tactile form.
- **Specialist equipment**
- **Alternative forms of recording**
- **Daily adult support** to modify/enlarge learning materials and provide additional commentary and explanation of task.
- **Daily adult support** to scribe and provide desk top copies of board work or facilitate the use of screen sharing software.
- **Individual support** to access, or achieve safe participation and progress in 30% or more of the curriculum and classroom/school activities.
- **Adaptation** of the pupil’s environment, eg lighting levels, highlighting steps.
- **Adult support** to ensure safety in practical lessons or in unfamiliar environments.
- **Adult support** to assist with social relationships and self esteem difficulties
- **Continuing support of a qualified teacher** of children/young people with a visual impairment.
- **Continuing mobility and orientation training.**

Indications of statutory assessment thresholds for curriculum access are shown in Appendix 2.
Further information

Isle of Wight Council SEN Criteria documents are available online at www.iwight.com/localoffer


If you would like more information please contact the SEN Service, email sen@iow.gov.uk
Appendix 1 - Visual Impairment (VI)
(An extract from SEN Support: Guidance for early years providers, mainstream schools and colleges)

Description of difficulty/Barriers to learning
Appendix 1 - Visual Impairment (VI)
(An extract from SEN Support: Guidance for early years providers, mainstream schools and colleges)

- The child/young person (CYP) will have a diagnosed visual impairment/condition which results in reduced visual acuity (between 6/12 and 6/24).
- Additional problems such as visual field loss, monocular vision, visual perception difficulties and degenerative eye conditions may exist alongside reduced visual acuity.
- The visual impairment may cause difficulty in seeing learning materials presented from a distance eg board work and may require screen sharing to view board work close up.
- The CYP may require some text enlargement (uses print size between N14 and N18).
- The CYP may have difficulty judging speed and distance. They may need additional support for PE or school visits. They may be hesitant in unfamiliar environments.
- The CYP will usually be able to record their own work by handwriting but may need touch typing as an alternative on some occasions.
- They may be socially/emotionally immature and have difficulties in the areas of social/emotional well being.
## Appendix 1 - Visual Impairment (VI)
(An extract from *SEN Support: Guidance for early years providers, mainstream schools and colleges*)

### Assessment, plan, do and review

- On-going assessments by class teacher supplemented by standardised and/or diagnostic tests.
- The CYP’s strengths and needs will be identified and monitored through a range of observation, dialogue and discussion.
- School may receive advice from the Specialist Teacher Adviser (STA) for VI. This will be incorporated into the CYP’s personal plan. The plan to be regularly reviewed by school staff to ensure progress. Targets should include a focus on increasing independence.
- Regular review meetings will be held with the CYP and parents to assess strategies and set new targets within the personal plan which identifies levels of support and targets for curriculum access.
- On-going assessment and monitoring with the support of STA for VI and the Habilitation Specialist where appropriate.
- Regular dialogue with parents to be maintained.

Assessment would include consideration of:

1. CYP’s identified and assessed visual access needs and learning needs
2. Learning environment
3. Task
4. Teaching style

### Environment and grouping

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<th>Environment and grouping</th>
<th>Teaching and learning</th>
<th>Resources, roles and responsibilities</th>
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<tbody>
<tr>
<td>In the classroom the CYP may need any or all of the following:</td>
<td>The CYP may/will need:</td>
<td>• Key staff awareness of the CYP’s visual impairment and implications.</td>
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<tr>
<td>• A school based risk assessment completed and actioned.</td>
<td>• Access to the school curriculum with differentiated learning tasks to meet their preferred learning styles to ensure increasing independence, eg aural, kinaesthetic.</td>
<td>• Access for staff to training from STAS VI, as appropriate.</td>
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<td>• Appropriate seating arrangements for access to visual stimuli or to screen out visual distractions. These adjustments should be</td>
<td>• Support to access some visual materials.</td>
<td>• Advice from STA for VI as required.</td>
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<td>• Access to specialist equipment as appropriate,</td>
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## Appendix 1 - Visual Impairment (VI)
(An extract from *SEN Support: Guidance for early years providers, mainstream schools and colleges* )

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<th>Environment and grouping</th>
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<th>Resources, roles and responsibilities</th>
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<td>sensitively implemented.</td>
<td>Visual materials adapted to N14 – N18 as appropriate and dedicated staff time to modify and download resources</td>
<td>such as:</td>
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<td>• Sensitive support and flexible grouping arrangements to encourage social interaction and collaborative work.</td>
<td>• Repetition and oral clarification of instructions, vocabulary and new concepts.</td>
<td>– Technology to duplicate the smart board on a mobile device at the desk top</td>
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<td>• Support strategies and groupings to foster emotional well-being and self-esteem.</td>
<td>• Monitoring and oversight for practical subjects where safety is an issue.</td>
<td>– low vision aids and magnifiers</td>
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<td>• Opportunities to work with others of similar abilities in areas of strength.</td>
<td>• Help and support when choosing the most appropriate medium for accessing and recording the curriculum.</td>
<td>– large print materials (N14-N18)</td>
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<td>• Withdrawal sessions for some small group or one to one work to increase skill levels and also to preview/review curriculum content.</td>
<td>• Planned support to access learning activities and to support independence.</td>
<td>– sloping reading/writing boards</td>
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<td>• Extra support in new and/or unfamiliar environments.</td>
<td>• Access to specific skills development where appropriate.</td>
<td>• Time will need to be available for liaison between SENCO/class teacher, subject teacher and other professionals.</td>
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<td>• An audit of the visual environment with possible environmental adaptations, eg vertical blinds, highlighting of hazards, etc.</td>
<td>• Sensitive support to manage identified visual needs.</td>
<td>• Access to specialist equipment used by trained staff as appropriate.</td>
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<tr>
<td>• Additional support in practical aspects of the curriculum.</td>
<td>• Special access arrangements for internal/external examinations as appropriate.</td>
<td>• Planned time for home / school liaison so that parents can be involved in both long and short term planning and support.</td>
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<tr>
<td>• Space for the STA for VI to carry out visual acuity assessments as required.</td>
<td>• Differentiation to provide the additional time needed by VI learners for completion of classroom tasks</td>
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## Appendix 1 - Visual Impairment (VI)
(An extract from *SEN Support: Guidance for early years providers, mainstream schools and colleges*)

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<tr>
<td>Foundation Stage</td>
<td>Key Stage 1</td>
<td>Key Stage 2</td>
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<td>Vision: moderate/severe/profound loss. Distance 6/30 – 6/120 or less. Near N24 to N36 or tactile. Severely reduced field. Requires modified teaching style, differentiated tasks, planned support to access the curriculum. Needs additional input to develop visual and listening skills, and possible withdrawal for learning support. Requires labels/charts to be modified. Has difficulty judging speed/distance. Will require support for PE/school visits. Requires support for health and safety in practical lessons. May need to learn Braille as second medium. Pre-Braille skills will begin. Introduction to IT</td>
<td>Vision: moderate/severe/profound loss. Distance 6/30 – 6/120 or less. Near N24 to N36 or tactile. Severely reduced field. Unable to see board work/demonstrations. Will need a scribe or screen sharing software. Requires all text to be enlarged and some to be modified. Needs Low Vision Aids (LVAs) and IT equipment and software eg screen reading software/braille technology. Will require assessment and ongoing programme from Habilitation Specialist. Has difficulty judging speed/distance. Will require support for PE/school visits. Requires support for health and safety in practical lessons. May need to learn Braille as second medium. Need to learn how to touch type.</td>
<td>Vision: moderate/severe/profound loss. Distance 6/30 – 6/120 or less. Near N24 to N36 or tactile. Severely reduced field. Requires specialist software and training. Requires additional time in tests and examinations. Needs LVAs. Will require a training programme. IT equipment and screen sharing software/screen reading software/braille technology. Will require assessment and ongoing programme from Habilitation Specialist. Requires road safety training and input during transition. Consolidate touch typing and word processing skills. Change of phase, ie an increase in printed materials and use of board. Additional support for social and emotional development. Introduction to local self-help groups and organisations.</td>
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## Appendix 2 – Statutory Assessment Threshold

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<th>Foundation Stage</th>
<th>Key Stage 1</th>
<th>Key Stage 2</th>
<th>Key Stage 3 and post-16</th>
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<tr>
<td>Will not necessarily understand social conventions. May be unresponsive and withdrawn, and lack confidence. Needs additional support from school/Specialist Teacher Adviser to help develop cooperative play skills and establish friendships.</td>
<td>Social and emotional support to establish and sustain friendships and to understand social conventions. SEMH needs require advice from STA VI and possible interventions. May need additional support from ELSA programme. Access arrangements for examinations and QCA tests. <strong>Habilitation Specialist</strong> input where appropriate</td>
<td>Social and emotional support to establish and sustain friendships and to understand social conventions. SEMH needs require advice from STA VI and possible interventions. Help to understand eye conditions. Has difficulty judging speed/distance. Will require support for PE/school visits. May need alternative PE/keep fit programme. Requires support for health and safety in practical lessons. May need to learn Braille as second medium. Access arrangements for examinations and QCA tests. <strong>Habilitation Specialist</strong> input where appropriate</td>
<td>Social and emotional support to establish and sustain friendships and to understand social conventions. SEMH needs require advice from STA VI and possible interventions. Will require assessment and ongoing programme from <strong>Habilitation Specialist</strong> – independent skills, road safety. Additional support for social and emotional development, particularly relating to adolescence and friendship groups. Understanding of eye condition and implications for career, ability to drive and leisure opportunities. Requires support for health and safety in practical lessons. Will require support in PE lessons or an alternative PE/keep fit programme. Introduction to sports and leisure, specifically for VI. Access arrangements for examinations. <strong>Habilitation Specialist</strong> input where appropriate</td>
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