

The Federation of Broughton and West Tytherley Primary Schools



SPECIAL EDUCATIONAL NEEDS (SEND) POLICY

Signed: *Derek Smith*
On behalf of the Governing Body

Date: September 2022 Next review: September 2023

Personnel

Leadership team member Responsible for the policy: Lucy Macey, Executive Headteacher

Designated Safeguarding Lead: Lucy Macey (Headteacher)

SENDCo: Kate Meron

Named Governor with lead responsibility: Chris Lloyd

Engage Evaluate Empower Responsible Enjoyment

SPECIAL EDUCATIONAL NEEDS and DISABILITIES POLICY

INTRODUCTION

Our SEND policy aims to set out how our school will support and make provision for pupils with special educational needs (SEN) and disabilities.

This policy is based on the statutory [Special Educational Needs and Disability \(SEND\) Code of Practice](#) and the following legislation:

- [Part 3 of the Children and Families Act 2014](#), which sets out schools' responsibilities for pupils with SEN and disabilities
- [The Special Educational Needs and Disability Regulations 2014](#), which set out schools' responsibilities for education, health and care (EHC) plans, SEN co-ordinators (SENCOs) and the SEN information report

It also works within Local Education Authority guidelines and other policies current within the school, including our academy funding agreement and articles of association.

DEFINING SPECIAL EDUCATIONAL NEEDS

The 2014 Code of Practice says that:

A person has SEN if they have a learning difficulty or disability which calls for special educational provision to be made for him or her. At compulsory school age this means he or she has a significantly greater difficulty in learning than the majority of others 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.

Special educational provision is educational or training provision that is additional to, or different from, that made generally for other children or young people of the same age by mainstream schools.

Categories of SEN:

Our school currently provides additional and/or different provision for a range of needs, including:

- **Communication and Interaction** - a difficulty in communicating with others. This may be because children have difficulty saying what they want to, understanding what is being said to them or they do not understand or use social rules of communication. For example, children with Autistic Spectrum Disorders (ASD), including Asperger's syndrome, and children with speech and language difficulties.
- **Cognition and Learning** - children with learning difficulties often learn at a slower pace than their peers, even with appropriate differentiation. Learning difficulties cover a wide range of needs from moderate learning difficulties (MLD) to children with profound and multiple learning difficulties (PMLD). Specific learning difficulties (SpLD) affect one or more specific aspects of learning, such as dyslexia, dyscalculia and dyspraxia.
- **Social, Emotional and Mental Health** – children can experience a wide range of social and emotional difficulties which may manifest themselves in many ways, for example, becoming withdrawn or isolated, or displaying challenging, disruptive or disturbing behaviour. These behaviours may reflect underlying mental health difficulties. Other

children may have difficulties such as attention deficit disorder (ADD), attention deficit hyperactive disorder (ADHD) or attachment disorder.

- **Physical and/or Sensory Needs** – some children require special educational provision because they have a disability which prevents or hinders them from making use of the educational facilities generally provided. For example, children with vision impairment (VI),

Children's needs and requirements may fall into one or more of these four areas; many children will have inter-related needs.

The identification of SEN is embedded in the whole school process of monitoring the progress and development of all pupils. We recognise the benefits of early identification and making effective provision in improving the long-term outcomes for children with SEN. The purpose of identification is to work out what action the school needs to take, not to fit the pupil into a category. It is also important to identify the full range of needs, not simply the primary need of an individual pupil.

OBJECTIVES

At The Federation of Broughton and West Tytherley Primary Schools we believe that all children have an equal right to a full and rounded education which will enable them to work confidently towards reaching their full potential and feel that they are a valued member of the wider school community. We provide teaching and learning for all children to gain access to a broad, balanced and appropriately differentiated curriculum.

Our objectives are:

- To identify any barriers to learning at the earliest opportunity.
- To follow the 'Assess, Plan, Do, Review' graduated approach cycle recommended in the SEND Code of Practice.
- To develop effective whole school provision management of support for pupils, focusing on inclusive practices and removing/reducing barriers to learning.
- To support all pupils with SEND to meet or exceed the high expectations we set for them against national data and based on their age and starting points.
- To ensure that assessment and monitoring systems are effective and provide sufficient information of attainment and achievement for careful planning of progression.
- To ensure that all those involved with children with SEND work as a team to support each child's learning.
- To take into account the views of pupils and their parents/carers and to encourage their participation and partnership in decision-making about provision to meet special educational needs.
- To ensure that every child experiences success in their learning and achieves the best possible educational and other outcomes.
- To support children and young people with SEND and medical conditions to take part in the activities of the school alongside those who do not have SEND.
- To value and encourage the contribution of all children to the life of our school.
- To work with the Governing Board to enable them to fulfil their statutory monitoring role with regard to the specific supervision of the school's arrangements for SEN and disability.

- To work closely with partners in education, health and social care, where appropriate, to support the needs of individual pupils, ensuring that there is a multi-professional approach to meeting the needs of vulnerable learners.
- To ensure that all staff have access to continuing professional development and advice to support quality teaching and learning for all pupils.
- To help children and young people prepare for a successful transition into the next phase of their education and to adulthood.

THE LOCAL OFFER

The purpose of the local offer is to enable parents and young people to see more clearly what services are available in their area and how to access them. It includes SEND provision from birth to 25 years, across education, health and social care. Hampshire's Local Offer is available on the Hampshire website and the Federation of Broughton and West Tytherley Primary Schools Local Offer is available on our own website.

The SEND team at The Federation of Broughton and West Tytherley Primary Schools:

Headteacher (also Designated Safeguarding Lead): Lucy Macey

SENDCo: Kate Meron

Designated Governor for SEND: Chris Lloyd

ROLES & RESPONSIBILITIES

The Headteacher works with the SENDCo and SEND governor to determine the strategic development of the SEND policy and provision in the school. The Headteacher has overall responsibility for the provision and progress of learners with SEN and/or a disability.

Kate Meron (SENDCo) completed the National Award for SEND Co-ordination in 2020.

The SENDCo works with the Headteacher and SEND governor to determine the strategic development of the SEND policy and the co-ordination of SEND support provision in the school. They also provide guidance to colleagues and work with staff, parents, pupils, the local authority and other agencies to ensure that pupils with SEND receive appropriate teaching and support following the graduated approach outlined below. The SENDCo attends network meetings to share good practice with colleagues at cluster schools and keeps up to date with SEND developments.

All The Federation of Broughton and West Tytherley Primary Schools' teachers are trained to work with children with SEND. All members of staff have access to advice, information, resources and training to enable them to support children with SEND effectively.

The progress and development of every pupil in their class;

- Working closely with any teaching assistants or specialist staff to plan and assess the impact of support and interventions and how they can be linked to classroom teaching;
- Working with the SENDCo to review each pupil's progress and development and decide on any changes to provision;
- Ensuring they follow this SEND policy.

We also have a team of teaching and support assistants, including a higher level teaching assistant (HLTA), who are trained to deliver SEND provision.

The Governing Board, in consultation with the Headteacher, determines the school's policy and approach to provision for pupils with special educational needs, establishes the appropriate staffing and funding arrangements and maintains a general overview of the school's work. It is the statutory duty of the Governing Board to appoint a representative to oversee SEND provision and to ensure that the school makes appropriate provision for any child with SEND following the requirements of the SEND Code of Practice.

The Governor with particular responsibility for SEND is Chris Lloyd. The SEND Governor will work with the Headteacher and SENDCO to determine the strategic development of the SEND policy and provision in the school. The SEND Governor will also help to raise awareness of SEND issues at Governing Board meetings and monitor the quality and effectiveness of SEND provision within the school and update the Governing Board on this.

The Graduated Approach to SEND Support

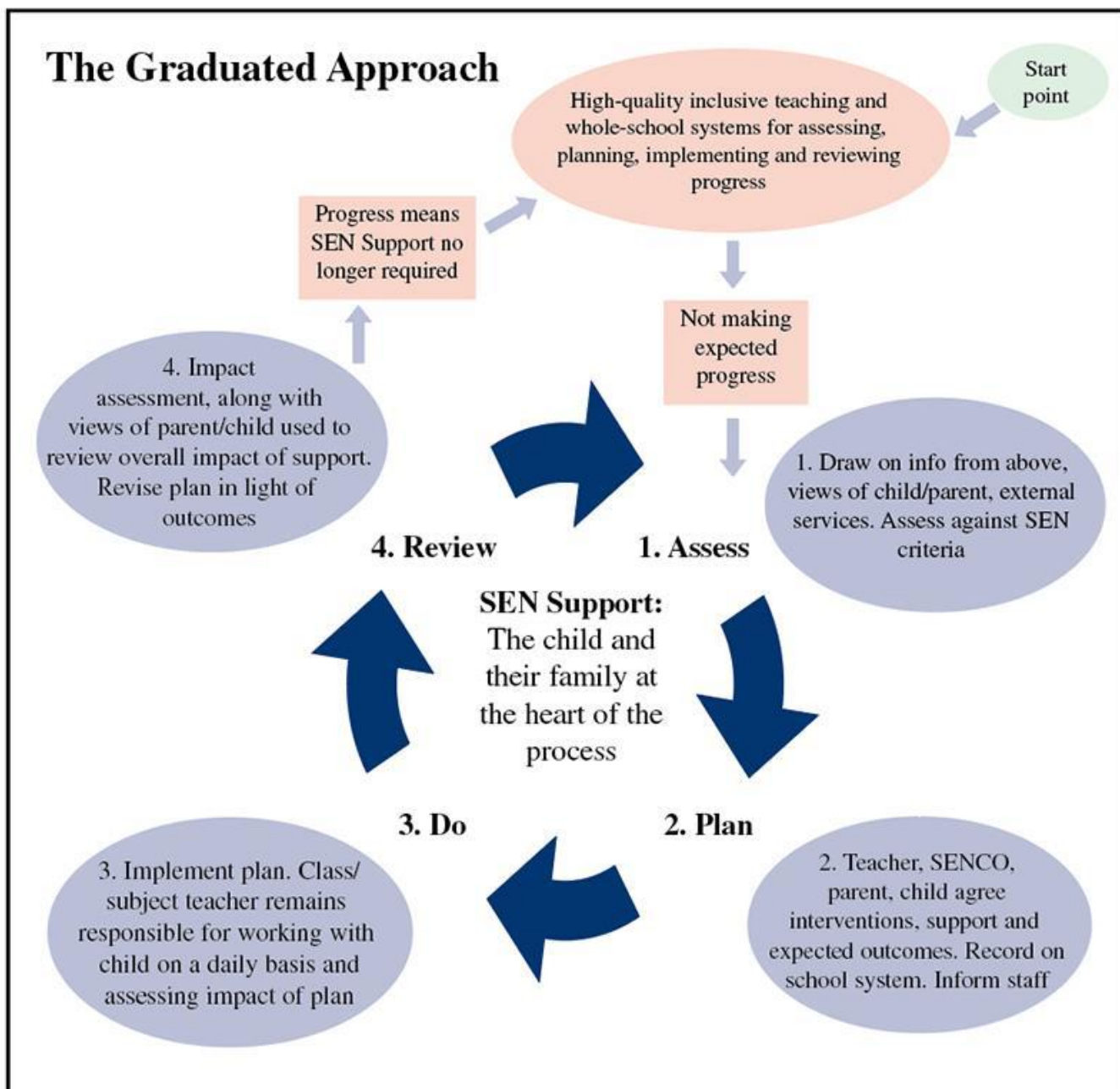
According to The SEND Code of Practice: 0-25 years (January 2015), the **Graduated Approach** can be described as:

“A model of action and intervention in early education settings, schools and colleges to help children and young people who have special educational needs. The approach recognises that there is a continuum of special educational needs and that, where necessary, increasing specialist expertise should be brought to bear on the difficulties that a child or young person may be experiencing.”

By using the Graduated Approach, we aim to make reasonable adjustments to ensure that the majority of children and young people with SEND are able to access and have their needs met within our mainstream provision, so that they enjoy the same opportunities as their peers wherever possible and are fully included within school.

At The Federation of Broughton and West Tytherley Primary Schools, we endeavour to ensure that all pupils have access to a broad and balanced curriculum through high quality whole-class teaching. We aim to meet the needs of most children with SEND through Quality First Teaching and Learning, along with relevant health and care services that are available to all children and young people.

In many cases, pupils with SEN and disabilities will be able to study the full curriculum within whole-class settings. Careful planning of lessons and regular assessment of pupil achievement and progress can address potential areas of difficulty and remove many barriers to learning. We also consider evidence that a pupil may have a disability under the Equality Act 2010 and if so, what reasonable adjustments may need to be made for them.



Identifying children with SEND

Assess

In addition to quality first teaching (QFT), some children may need additional support such as focused interventions targeting particular skills. We recognise the benefits of early identification of SEND and that making effective provision at the earliest point improves long-term outcomes for the child or young person.

Children with SEND are identified as early as possible within our setting. Initial concerns are usually raised through comments brought by parents or school staff working directly with the child. These concerns may be based on the pupil's general well-being, their emotional or behavioural presentation, their progress in comparison to their peer group, or their profile against recognised characteristics of specific forms of SEND.

At The Federation of Broughton and West Tytherley Primary Schools we assess each pupil's current skills and levels of attainment on entry and at regular intervals, building on information from previous settings and key stages where appropriate. Assessment may include progress in areas other than attainment – for instance where a pupil needs to make additional progress with their wider development or social needs in order to make a successful transition to adult life. Class teachers, supported by the SENDCO, make regular assessments of progress for all pupils. These assessments seek to identify pupils making less than expected progress. This can be characterised by progress which:

- is significantly slower than that of their peers starting from the same baseline;
- fails to match or better the child's previous rate of progress;
- fails to close the attainment gap between the child and their peers;
- widens the attainment gap.

Where a pupil is making less progress than expected, the first response is high quality teaching targeted at their areas of weakness. The progress of every child is monitored at termly Individual Education Plan and Pupil Progress Meetings. Where children are identified as continuing to make less than expected progress, given their age and individual circumstances and in spite of QFT, they are discussed with the SENDCO and/or Headteacher and a plan of action is agreed. The class teacher, working with the SENDCO, will assess whether the child has SEND. While gathering evidence (including the views of the pupil and their parents), the school may put in place extra teaching or other interventions, designed to secure better progress, that are additional to or different from those provided as part of the school's usual curriculum offer and strategies. The pupil's response to such support can help identify their particular needs.

Slow progress and low attainment do not necessarily mean that a child has SEND and should not automatically lead to a pupil being recorded as having SEND. However, they may be an indicator of a range of learning difficulties or disabilities. Equally, it should not be assumed that attainment in line with chronological age means that there is no learning difficulty or disability. For example, some children and young people may be high achieving academically, but may require additional support in communicating and interacting socially. Some learning difficulties and disabilities occur across the range of cognitive ability and left unaddressed may lead to frustration, which may manifest itself as disaffection, emotional or behavioural difficulties.

In addition to school-based assessments, parents/carers may ask us to look more closely at their child's learning. We understand the importance of listening and understanding when parents express concerns about their child's development. We also listen to and address any concerns raised by children and young people themselves. Frequently, the concern can be addressed by QFT or some parental support. Otherwise, a graduated approach to supporting pupils with SEN or disabilities is initiated, following the process explained below.

Teaching and Learning

Plan

All teachers and support staff who work with the pupil will be made aware of their needs, the outcomes sought, the support provided, and any teaching strategies or approaches that are required.

We may make the following adaptations to support pupils' needs:

- Differentiating the curriculum to ensure pupils are able to access it, for example, content of the

lesson, outcome expectations, etc.;

- Adapting resources;
- Adapting staffing, for example, use of teaching assistants for small group or 1:1 support;
- Using recommended aids, such as laptops, coloured overlays, visual timetables, larger font, etc.;
- Differentiating teaching, for example, giving longer processing times, pre-teaching of key vocabulary, reading instructions aloud, etc.

We will regularly review the effectiveness of the support and interventions and their impact on pupils' progress.

If the support needed is short term or can be provided by adapting the school's core offer then a child might not be considered SEND or placed on the SEND register. If a child's progress continues to give cause for concern, and the support required is *different from or additional to* what is ordinarily offered by the school, the

In deciding whether to place a child on the SEND register, the teacher and SENDCO will consider all of the information gathered from within the school about the pupil's progress, alongside national data and expectations of progress. This will include formative assessment, using effective tools and reliable assessment materials. For higher levels of need, the SENDCO may (with parental consent) request the involvement of external support services (such as Educational Psychology, Hampshire's Autism Team, Speech and Language Therapy, CAMH's Links Service, Physiotherapy and Occupational Therapy Services) who can provide more specialist advice and assessments that can inform planning and measurement of a pupil's progress, give guidance on the use of specialist strategies or materials, help with setting targets, and in some cases provide support for particular activities.

Although the school can identify special educational needs, and make provision to meet those needs, we do not offer diagnoses. Parents are advised to contact their GP if they think their child may have ASD or ADHD or some other disability.

When pupils have been identified as having persistent and moderate difficulties and display SEND requiring provision that is additional to and different from the mainstream curriculum, a meeting with parents (and pupils where appropriate) will be arranged, and the child will be added to the school's **SEND register**. This meeting will include information gathering with the aim to develop a good understanding of the pupil's areas of strength and difficulty, the parents' concerns, the agreed outcomes sought for the child and the next steps. The school will then seek to remove barriers to learning and put effective special educational provision in place, following the cycle of *assess, plan, do, review* with the child/young person at the centre of the process.

Once a child has been identified at SEND Support, an **Individual Education Plan (IEP)** is set up. This is used to record the child's and parents' views and to collate assessment data from a range of sources. Details of additional levels of support are recorded to outline the provision available to the child, e.g. resources and strategies to be implemented towards desired outcomes. Child, parents, and class teacher will have the opportunity to discuss their child's progress at regular meetings (half termly) where the IEP will be discussed and reviewed, and the impact of support interventions will be evaluated.

Do

Targets for children at SEND Support are specific to their needs in the attempt to close the attainment gap between the child and their peers. In class support, where possible and interventions are often crucial in closing these gaps, so are monitored closely by both the intervention teacher – who monitors progress towards the targets during the intervention – and by the SENDCO, who monitors overall effectiveness and progress after the intervention.

In class interventions and other support strategies are planned and reviewed each term or sooner.

Children's progress towards their targets is assessed and recorded. A decision is then made as to whether to continue the intervention/support strategy, to change to a new intervention/strategy, or to allow a period of consolidation in class/group.

SEND support can take many forms. This could include:

- an individual learning programme
- evidence-based interventions to support different areas of need
- additional support from a teacher or a teaching assistant
- creating or adapting materials, resources or equipment
- working with a child in a small group
- maintaining specialist equipment
- observing a child in class or at break and keeping records
- supporting a child to take part in class activities
- making sure that a child has understood things by encouraging them to ask questions and to try something they find difficult
- helping other children to work with a child, or play with them at break time
- supporting a child with physical or personal care difficulties, such as eating, getting around school safely, toileting or dressing
- following a care plan or action plan provided by an external agency, e.g. Educational Psychology, Speech & Language Therapy, Physiotherapy, Occupational Therapy, Hampshire Autism Team, Emotionally Healthy Schools Team etc.

Review

Meetings with parents will be held half termly and a record kept to support the *assess, plan, do, review* cycle. A record of any external agency support, contact or advice will also be kept, as well as any records of observations or evidence which supports any observed impact on learning (e.g. class work, photos, behaviour log, etc.)

Support for children is tailored to the needs of the individual child, and provided through a variety of means. The school uses a range of support strategies and interventions. These are reviewed and evaluated at least termly. When allocating additional TA support for children, our focus is on outcomes, not hours: we aim to put in sufficient support to enable each child to reach challenging individual targets, but without developing a learned dependence on an adult.

If a child's difficulties are persistent and significant, requiring consistent high levels of specialist interventions, If a child fails to make progress, despite the school having taken relevant and purposeful action to identify, assess and meet the needs of the child at SEND, the school (or parents) may apply for the child to be assessed for an EHC Plan. Hampshire Toolkit for SEND provides clear information about when a request for an Education, Health and Care needs assessment, or specialist services, may be required.

A request for an EHCP assessment will only be made in a small minority of cases where a child has demonstrated significant special educational needs. School (or parents) will complete an EHC Needs

Assessment application which collates information about the child's progress over time, and will also include documentation in relation to the child's special educational needs and any action taken to deal with those needs, including any resources or special arrangements put in place. External agencies will be invited to provide additional relevant information. Pupil and parent views will also be collected. The **EHC Needs Assessment** Application is submitted to the Local Authority. All decisions relating to EHC needs assessments are made by a multi-agency panel comprising of representatives from health, social care, mainstream and special schools, an educational psychologist. The parents of any child who is referred for statutory assessment will be kept fully informed of the progress of the referral.

If the application for an EHC Plan is successful, a member of the Local Authority will call a meeting for parents, the child and the school, together with any health or social care professionals who are involved with the family. The meeting will record the child's strengths and aspirations, as well as the barriers they face. Following the meeting, the LA will produce an **EHC Plan** which will record the decisions made at the meeting, bringing together the child's health and social care needs as well as their special educational needs. This EHCP will be reviewed by school each term and annually by the LA.

An EHC Plan includes:

- Record of parental views;
- Record of child or young person's views;
- Ongoing, collated assessment data from a range of sources (e.g. class teacher and SENDCO);
- Smaller, SMART targets for the child or young person based on outcomes described in the EHC Plan;
- Record of implemented and reviewed resources and strategies - including resulting impact and progress (*assess, plan, do, review* cycles);
- Specific amounts (times and costs) – e.g. costed provision map;
- Log of meetings with parents - minimum of 3 meetings within a 12 month period to support the *assess, plan, do, review* cycle;
- Record of any external support, contact or advice (including action plans, reports or assessments) which has been implemented and reviewed;
- Records of any completed observations or evidence which supports any observed impact on learning (e.g. class work, photos, etc.).

SPECIALIST

For a very small minority of pupils with SEND, it may be deemed necessary for them to receive their education within specialist provision. This outcome will be presented at a multi-agency EHCP review meeting, with the final decision being made by a multi-agency panel comprising of representatives from health, social care, mainstream and special schools, an educational psychologist, a 0-25 SEND Officer and the SEND Service Manager.

Criteria for removing pupils from the SEND Register

When a child has made sufficient and sustained progress towards achieving their personal targets and it is felt that they are able to maintain this with quality first teaching, they may be removed from the SEND register. The school will continue to monitor pupils recently removed from the register to ensure good progress is maintained.

Children with Social, Emotional and Mental Health Needs

Persistent disruptive or withdrawn behaviours do not necessarily mean that a child has SEND. Where there are concerns, the school will make an assessment to determine any causal factors such as undiagnosed learning difficulties, difficulties with communication or mental health issues, also taking into account family circumstances and the child's known history of experiences.

If the child's behaviour is felt to be a response to trauma or to home-based experiences (e.g. bereavement, parental separation) we may complete a multi-agency approach with the family (Early Help) and support the child through that process. We try to make appropriate provision for a child's short-term needs in order to prevent problems escalating. Where there are long-lasting difficulties we will consider whether the child might have SEND, following the graduated approach explained above.

If parents and/or school are concerned that a child may have mental health needs, we encourage parents to ask their GP for a referral to CAMHS (Child and Adolescent Mental Health Services).

If the child is felt to have long-term social, emotional or mental health needs, the school offers a range of social skills interventions. These are generally delivered by trained teachers or TAs who develop positive, trusting relationships with the children.

All children's behaviour is responded to consistently in line with our Behaviour Policy, although reasonable adjustments are made to accommodate individual needs.

English as an Additional Language (EAL)

When identifying and assessing SEND for children whose first language is not English, school will look carefully at all aspects of a pupil's performance in different areas of learning and development to establish whether lack of progress is due to limitations in their command of English or if it arises from SEN or a disability. Difficulties related solely to limitations in English as an additional language are not considered SEND.

Supporting pupils with medical conditions

The school recognises that pupils with medical conditions should be appropriately supported so that they have full access to education, including school trips and physical education. Where it is the case that a medical condition meets the criteria of disability, the school will comply with its duties under the Equality Act 2010. *Reasonable adjustments* will always be made to promote access to all areas of the school curriculum for pupils with a disability, e.g. an extra adult to accompany a child on school trips or residential visits.

Specific training will be given to support pupils' particular needs, e.g. technical knowledge to maintain auxiliary aids and equipment; use of an epi-pen; managing diabetes.

The school office is responsible for the administration of medicines and health care plans/protocols.

A separate register is kept of children with **Medical Needs**.

Working with Parents and Children

At The Federation of Broughton and West Tytherley Primary Schools we aim to build positive and informative relationships with parents. The school actively encourages and recognises the rights of parents/carers in terms of their involvement in the provision for their child's special educational needs. If a child is experiencing difficulties, parents will be informed either during informal meetings to discuss the child's progress, at parents' meetings, or at meetings called to discuss/review First Concerns, SEND Support or EHC Plans. The class teacher or SENDCO will discuss relevant assessments that have been completed and involve the parent/carer in decision-making regarding the strategies by which their child's individual needs will be

met. This will usually include an agreed plan of provision for the next term with relevant targets. Children may be invited to attend all or part of these meetings. Thereafter, parents (and children) will be invited to a meeting at least termly (these may coincide with parents' evenings) to review progress made, celebrate successes, update targets and agree provision for the next term.

EQUAL OPPORTUNITIES AND INCLUSION

The Governors and staff at The Federation of Broughton and West Tytherley Primary Schools are committed to providing equal opportunities for all, regardless of gender, ethnicity, culture, religion, language, sexual orientation, age, ability, disability and social circumstances. We believe that all members of the school should be treated with respect and that individual, diverse needs should be recognised and met within a caring and non-judgmental ethos.

The school complies fully with the Equality Act 2010 and the School Admissions Code 2012 in relation to the arrangements for the admission of disabled pupils. Where the school is oversubscribed, all children are admitted in accordance with the published oversubscription criteria. Where a child is disabled, the school will make reasonable adjustments and provide auxiliary aids or services where reasonable to ensure that no disabled child is placed at a substantial disadvantage compared to other pupils.

Through appropriate curricular provision, we respect the fact that children:

- have different educational and behavioural needs and aspirations;
- require different strategies for learning;
- acquire, assimilate and communicate information at different rates;
- need a range of different teaching approaches and experiences.

Teachers respond to children's needs by:

- providing support for children who need help with communication, language and literacy;
- planning to develop children's understanding through the use of all available senses and experiences;
- planning for children's full participation in learning, and in physical and practical activities;
- helping children to manage their behaviour and emotions and to take part in learning effectively and safely.

TRANSITION ARRANGEMENTS

When a parent seeks a place for a child at The Federation of Broughton and West Tytherley Primary Schools, the Headteacher adheres to the criteria outlined in our Admissions Policy in relation to admitting children with SEND (see Admissions Policy). The school requests school records from previous settings, including assessment information, Child Protection files (where appropriate), and details of any SEND (including pupil profiles, SEND or inclusion plans, any EHCPs and most recent targets) when a child is transferring from another school.

We endeavour to make transitions between settings and key stages as smooth as possible for all children, including those with SEND. We will share information with the school or other setting the pupil is moving to.

Enhanced transition arrangements are tailored to meet individual needs. Support strategies may include:

- Additional meetings for parents and child with new teachers
- Additional visits to new classroom/school environments in order for pupils to familiarise themselves with the new settings;
- Opportunities to meet key people and places in order to create a transition booklet.

MONITORING AND EVALUATION OF SEN

The Headteacher and the Senior Leadership Team regularly monitor and evaluate the quality of provision for all pupils. The SENDCO monitors and evaluates the quality of SEND provision within school. The impact of SEND provision on the progress and outcomes for children on the SEND register is measured through:

- analysis of pupil tracking data and assessment results at pupil progress meetings
- progress against national data and based on their age and starting points
- progress against individual targets
- half termly/annual reviews for pupils with IEPs or EHCPs
- SENDCO learning walks and book scrutinies
- pupils' work, questionnaires and interviews

COMPLAINTS PROCEDURE

The Federation of Broughton and West Tytherley Primary Schools works, wherever possible, in partnership with parents to ensure a collaborative approach to meeting pupils' needs. However, all complaints are taken seriously and the school's complaints procedure is outlined in the Complaints Policy. The SEND Code of Practice outlines additional measures the Local Authority must set up for preventing and resolving disagreements. Parents/carers will be given the necessary information upon request.

REVIEW

This document is subject to review as part of the cycle of whole school self-evaluation. The policy will be reviewed annually (or sooner in the event of revised legislation or guidance).