

Report Title:	<b>NEW PROVISION FOR CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS</b>
Contains Confidential or Exempt Information?	<i>NO - Part I</i>
Member reporting:	Councillor Stuart Carroll, Lead Member for Adult Social Care, Children's Services, Health and Mental Health
Meeting and Date:	Cabinet – 27 February 2020
Responsible Officer(s):	Kevin McDaniel, Director of Children's Services
Wards affected:	All

## REPORT SUMMARY

1. This report recommends public consultation on options for new 'Resourced Provision' and 'SEN Units' at a number of schools in the Royal Borough. The new facilities will provide places for children of primary school age with complex communication difficulties who could nevertheless, with support, attend a mainstream school.
2. A number of schools have indicated they are interested in running the new facilities. Capital funding for any new buildings will come from Department for Education's £1.227m Special Provision Capital Fund grant to the local authority.
3. It is very unlikely that there will be sufficient capital to proceed with all options. Cabinet will receive a further report, therefore, in June 2020, providing an options appraisal, details on the outcome of the consultation and recommendations on which option(s) should proceed.

## 1. DETAILS OF RECOMMENDATIONS

**RECOMMENDATION:** That Cabinet notes the report and:

- i) **Approves public consultation on options to open new Special Educational Needs Units and/or Resourced Provision for children with Education, Health and Care Plans for Autistic Spectrum Disorder and/or Social, Emotional and Mental Health from 1<sup>st</sup> September 2021.**
- ii) **Delegates approval of the final list of proposals for inclusion in the consultation to the Lead Member for Adult Social Care, Children Services, Health and Mental Health and the Director of Children's Services.**
- iii) **Requests a report in June 2020, providing details on (i) the outcome of the consultation, and (ii) an evaluation of the options, including costed proposals for the new facilities.**

**2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED**

**Background**

The Special Provision Capital Fund

2.1 In March 2017, the Department for Education (DfE) announced a new capital fund to:

*“help local authorities create new school places and improve existing facilities for children and young people with SEN and disabilities, in consultation with parents and providers.”<sup>1</sup>*

Scope of the Special Provision Capital Fund

2.2 The funding is not ring-fenced, but the Department for Education expects that local authorities will use the funding to help manage the cost pressures on their high needs revenue budgets. As such, the funding is intended for children and young people aged 0 to 25 with Education, Health and Care Plans (EHCPs), and can be used to:

- create new facilities; and/or
- extend or improve existing facilities at ‘Good’ or ‘Outstanding’ providers.

2.3 Funding can be used to invest in provision in other local authority areas, if it can be demonstrated that this will benefit borough residents. It can also be used at any type of provider, including academy, community, controlled, free or voluntary aided schools (special or mainstream), but also independent special schools, early years providers and FE colleges.

2.4 The funding can only be used on provision that is primarily for children with an EHCP.

Need for new special educational needs provision

2.5 Although most children and young people with an EHCP can be taught in mainstream schools, some do require more specialist help. The Royal Borough already has a range of facilities for pupils with EHCPs, including two special schools and four schools with Resourced Provision, as set out in Table 1 below.

**Table 1: Existing SEN provision in the Royal Borough**

Provision	Type	SEND need	Age	Places
Manor Green School	School	Multiple needs	2-19	300
Forest Bridge		Autistic Spectrum Disorder	4-16	96
Charters School	Resourced Provision	Physical Disability	11-19	10
Furze Platt Senior School		Autistic Spectrum Disorder	11-19	17
Riverside Primary School		Speech/Language	3-11	14
Wessex Primary School		Hearing Impaired	3-11	14

2.6 The number of places shown in the last column is the number commissioned by the Royal Borough in the 2019/20 academic year, and may change in future years.

<sup>1</sup> Page 3, [Special Provision Capital Fund Guidance](#), Department for Education, January 2019.

- 2.7 Resourced Provision is for pupils who will spend more than half of their time in mainstream classes (with support), as opposed to SEN Units, where pupils spend more than half their time in special classes.
- 2.8 The range in types and severity of special educational needs means that the local authority needs to rely on educational provision in and out of borough, in the state sector and in independent providers. One specific gap identified by the borough, however, is provision for children of primary school age with complex communication difficulties who could nevertheless, with support, attend a mainstream school.
- 2.9 This gap could be closed by using the Special Provision Capital Fund to open new SEN Units or Resourced Provision at schools in the borough, for children with EHCPs for Autistic Spectrum Disorder (ASD) and Social, Emotional and Mental Health (SEMH).
- 2.10 The new units/provision would help:
- meet the needs of a growing population;
  - provide more provision for those children with an ASD EHCP who would benefit from attending a mainstream school at a location closer to their home; and
  - reduce the number of ASD and SEMH children at Manor Green, freeing up places for the school's primary purpose, which is educating children and young people with more complex, profound multiple learning difficulties.
- 2.11 Relating this to current needs, this provision could have been useful in at least three instances:
- Children who, despite moving into the borough, have remained on roll in their current school (a mainstream primary in a neighbouring local authority area with resourced provision for ASD), because the borough has no equivalent provision to offer. This has meant that the children have to travel further to school, and that the borough is paying home to school transport costs, whilst filling up places in another local authority's facility.
  - In recent EHCP Tribunals, where disputes between the local and authority and parents about the appropriate SEN provision are considered. In the 2018/19 academic year, six cases were related to ASD provision at primary school age, where local provision was not currently suitable. It is likely that the number of tribunals would fall in future if the local authority was able to offer places in mainstream schools with resourced provision attached.
  - In 2018/19 Manor Green School had 35 primary age pupils with EHCPs for ASD on roll. 17 of these were funded at a rate that matches the funding for ASD children attending provision attached to a mainstream school. As the level of funding is linked to need, this implies that, for some children attending Manor Green, attendance at provision attached to a mainstream school could be appropriate.
- 2.12 It is not proposed that any children and young people with EHCPs will be removed from their existing provision, unless it is agreed that a place in the new facility will better meet their needs.

### Proposed options for consultation

- 2.13 The Royal Borough has already sought expressions of interest from borough schools on proposals to open Resourced Provision and/or SEN Units using the Special Provision Capital Fund. Officers met with nine schools who expressed an interest, and discussed a draft Terms of Reference for the new facilities. This is included as Appendix 1.
- 2.14 Five options for new provision have been proposed, with the intention to proceed to consultation:
- The Dedworth campus in Windsor (for Resourced Provision).
  - Hilltop First School in Windsor.
  - Homer First School in Windsor for Resourced Provision.
  - Wraysbury Primary School in Wraysbury.
- 2.15 The proposal for the two schools on the Dedworth site in Windsor (Dedworth Green First School and Dedworth Middle School - both part of the Windsor Learning Partnership) is for one Resourced Provision facility.
- 2.16 The fifth option, which is not listed above, is for provision at a primary school in Maidenhead. At the time of writing, the school is still considering whether it wishes to proceed to consultation. The school is expected to confirm its position in March, in time for inclusion in the consultation.
- 2.17 The opening of new Resourced Provision or SEN Units is governed by regulations. The processes are slightly different for community schools (Hilltop, Homer, Wraysbury) and academies (Dedworth Green/Dedworth Middle), but each requires public consultation before final decisions are made. Section 5 of this report sets out the legal process in more detail.
- 2.18 This report seeks approval to go out to public consultation, as outlined in Section 4.

### Summary of what the new facilities would offer

- 2.19 It is proposed that the unit or provision would:
- be for children and young people with an ASD or SEMH EHCP.
  - be for up to ten pupils each.
  - be for age ranges 4 to 11, or 4 to 13 in Windsor's three tier system.
  - preferably be located in Windsor and in Maidenhead.
  - open no later than 1<sup>st</sup> September 2021 (and preferably sooner).
- 2.20 Children attending the unit or provision would be on the roll of the host school. Schools would employ additional specialist staff to develop and deliver the curriculum for the new unit or provision. This would meet the individual needs of each pupil, whilst allowing them to attend mainstream school as appropriate to meet the outcomes set in their EHCP.
- 2.21 The host school would benefit from this inclusive approach, with the skills for working with children and young people with ASD/SEMH extending to all staff through training opportunities. The pupils attending the SEN Unit or Resourced Provision would be included in the school's pupil level and school attainment data. Ofsted are currently consulting on their 2019 Education Inspection Framework, which "*rebalances inspection to look rather more*

*closely at the substance of education: what is taught and how it is taught, with test and exam outcomes looked at in that context, not in isolation*<sup>2</sup>. This should mean that Ofsted will take greater account of inclusive approaches to education when inspecting schools.

- 2.22 Under the School Admissions Code it is not possible to set aside places for pupils in the unit or provision, when allocating places at intake. Pupils with EHCPs naming a school are automatically admitted to that school before other applications are considered. The expectation, therefore, is that the Published Admission Number at a school with a SEN Unit or Resourced Provision would not change.
- 2.23 The revenue implications for both schools running a SEN Unit/Resourced Provision and for the Royal Borough are set out in Section 4.
- 2.24 The Special Provision Capital Fund would be used to provide additional accommodation, in accordance with Building Bulletin 104. Specific needs will be identified as proposals are developed in partnership with schools, but the initial expectation is that the accommodation would comprise:

#### SEN Unit

- 55m<sup>2</sup> teaching space (equivalent to one full sized classroom).
- 12m<sup>2</sup> dining, social and learning resource.
- 4m<sup>2</sup> admin and storage.
- 19m<sup>2</sup> float (space to be allocated as per the specific needs of that unit).
- 35m<sup>2</sup> toilets and circulation.
- 125m<sup>2</sup> in total.

#### Resourced Provision

- 16m<sup>2</sup> dining, social and learning resource.
  - 4m<sup>2</sup> admin and storage.
  - 16m<sup>2</sup> float (space to be allocated as per the specific needs of that provision).
  - 14m<sup>2</sup> toilets and circulation.
  - 50m<sup>2</sup> in total.
- 2.25 The respective sizes of the unit and the provision reflect the fact that children attending the unit will spend most of their time being taught there, whereas children in resourced provision are mainly taught in the mainstream classes. The unit is also likely to require a (small) segregated outdoor play area, particularly for the younger children who may not be able to cope with the general playground.
- 2.26 Initial estimates place the cost of an SEN unit at £495k, including a contingency of 10%. Resourced Provision has been costed at approximately £198k (including the contingency). Costs may vary, however, reflecting the specific circumstances on individual school sites and feasibility works on options for each school will proceed, so that costed proposals can be considered by Cabinet alongside the outcome of the consultation.

---

<sup>2</sup> Foreword, [Education inspection framework 2019: inspecting the substance of education \(consultation\)](#), Ofsted, 16 January 2019

2.27 It is proposed that the new provision would work co-operatively with existing SEN providers in the borough, e.g. Shine (at Furze Platt Senior School), Forest Bridge and Manor Green. The borough will be exploring how this might work during the consultation period.

Agreements on the provision to be offered

2.28 Although there are different approval processes in place for new units/resourced provision at community schools and academies, the local authority retains the funding for these proposals. Only schemes that are approved by Cabinet can, therefore, proceed.

2.29 It is proposed that, ahead of any final decision on funding, schools wishing to proceed must have agreed to:

- A tailored version of the draft Terms of Reference, set out in Appendix 1.
- A Memorandum of Understanding (MoU) setting out the scope of the accommodation works.

Additional proposals if needed

2.30 The estimated capital cost of the proposal varies from around £400k for two Resourced Provision buildings to £970k for two SEN Units. Two units and one Resourced Provision would cost around £1.17m which is almost equal to the available grant. Depending, therefore, on the permutations of options and actual agreed schemes there may be some remaining funds. Proposals for any remaining funding will be brought to Cabinet in June 2020.

**Options**

**Table 4: Options arising from this report.**

<b>Option</b>	<b>Comments</b>
<p>Approves public consultation on options to open new Special Educational Needs Units and/or Resourced Provision for children with Education, Health and Care Plans for Autistic Spectrum Disorder and/or Social, Emotional and Mental Health from 1<sup>st</sup> September 2021:</p> <ul style="list-style-type: none"> <li>• Dedworth Green First School and Dedworth Middle School</li> <li>• Hilltop First School</li> <li>• Homer First School</li> <li>• Wraysbury Primary School</li> </ul> <p><b>Recommended.</b></p>	<p>Starts the statutory process required to open new SEN Units or Resourced Provision. Without this, it is not possible to legally open or fund the proposed new facilities, and other uses will need to be found for the Special Provision Capital Fund. These proposals are, however, considered the best way to improve the opportunities available to children with special education needs, by addressing the current lack of in-borough provision for primary age children with complex communication difficulties who could, with support, attend mainstream school.</p>
<p>Delegates approval of the final list of proposals for inclusion in the consultation to the Lead Member for Adult Social Care, Children Services, Health and Mental Health and the Director of Children’s Services.</p> <p><b>Recommended.</b></p>	<p>This will allow the final school to be included in the consultation, if they decide to proceed.</p>
<p>Requests a report in June 2020, providing details on (i) the outcome of the consultation, and (ii) an evaluation of the options, including costed proposals for the new facilities.</p> <p><b>Recommended.</b></p>	<p>This will allow Cabinet to consider the options and the views of residents before making a decision on which proposal(s) to proceed with.</p>

### 3. KEY IMPLICATIONS

**Table 5: Key Implications**

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Consultation is carried out, resulting in an appropriate response rate.	<3% response rate	3% response rate	4% response rate	5% response rate	31/05/2020

### 4. FINANCIAL DETAILS / VALUE FOR MONEY

**Table 6: Financial Impact of report's recommendations**

REVENUE COSTS	2019/20	2020/21	2021/22
Additional total	£0	£0	£0
Reduction	£0	£0	£0
Net Impact	£0	£0	£0

This assumes that two units are opened, with 10 pupils in each, and that all the pupils are borough residents.

CAPITAL COSTS	2019/20	2020/21	2021/22
Additional total	£0	£613,500	£613,500
Reduction	£0	£613,500	£613,500
Net Impact	£0	£0	£0

- 4.1 There are no revenue or capital costs arising directly from the recommendations in this report, as the cost of carrying out consultation and initial feasibility works will come from existing budgets.

#### Capital funding

- 4.2 The Royal Borough's original Special Provision Capital Fund allocation was for £722,722, in three equal instalments of £240,924 in the 2018/19, 2019/20 and 2020/21 financial years. That has since been topped up with an additional £504,259, paid in summer 2019, bringing the total to £1.227m.
- 4.3 The DfE required local authorities to publish their plans for spending the grant, with the following stipulations:
- they should demonstrate how the full allocation will be spent;
  - local authorities will have consulted with parents and providers;
  - the DfE template (which requires costed proposals) must be used; and
  - it must be published on the borough's Local Offer pages.
- 4.4 The Royal Borough's draft plan has been published<sup>3</sup>, and the 2019/20 funding released. The plan will need to be updated and republished in 2020 and 2021.
- 4.5 The estimated costs of the new facilities are £200k for Resourced Provision and £485k for a SEN Unit. The overall cost of providing new facilities will on which proposals and specific schemes are approved. If consultation is approved, then feasibility works on the schemes will proceed, in order to provide better costings to Cabinet in May 2020.

<sup>3</sup> Capital Strategy, [Local Area SEND Policies and Plans](#), AfC, May 2019.

- 4.6 It is proposed that a further £50k from the Special Provision Capital Fund is set aside for minor works to assist with the delivery of early assessment places in schools.
- 4.7 Any remaining funds will be put towards the provision of nature rooms. The projects carried out under this programme will not exceed the £1.227m grant.

### **Revenue funding for new SEN Units and/or Resourced Provision**

#### Impact of the revenue funding of a school

- 4.8 Schools with an SEN Unit or Resourced Provision receive additional revenue funding to reflect the higher costs of educating children and young people with EHCPs. The funding for pupils attending a unit or provision is, therefore, comprised of a number of elements (the figures relate to the 2019/20 financial year):
- Element 1: This is the AWPU (Age Weighted Pupil Unit). All schools get funding for each pupil at the school as part of the school's delegated funding. This is currently £2,892.71 for a primary school and £4,027.90 for the KS3 years in a middle school. Schools also receive other pupil led elements in the formula (e.g. funding for pupils with free school meals, deprivation, English as an Additional Language).
  - Element 2: £6,000 for each pupil in the unit or provision, or £10,000 for each unfilled place in the unit or provision.
  - Element 3: Since September 2019, top-up funding for all new EHCP children at any academy, aided, community, or controlled school in the borough has been based on a matrix that considers the child's individual needs<sup>4</sup>. The top-up funding is between £2k and £16k per child, and will be reviewed annually as part of the child's annual EHCP review.
- 4.9 It is important to note that the pupils attending the unit or provision will, in general, be included within the usual number of children educated at the school. This is because the School Admissions Code does not allow for places to be set aside specifically for pupils in the unit or provision. At first entry to school (e.g. for a Reception school place), children with an EHCP naming a school with a unit or provision are given places ahead of all other applicants. For admissions outside the normal intake year, a child whose EHCP names the unit or provision will be admitted, even if the school is full in that specific year group. If the year group is an infant year group, the child is treated as an 'excepted' child for the purposes of the infant class size legislation, so that the limit of 30 children per teacher is not breached.
- 4.10 A one form entry primary school with 210 pupils, therefore, would still expect to have around 210 pupils after opening a SEN Unit or Resourced Provision. Up to ten of these would be attending the new facility. Some year groups might have additional pupils, where a child with an EHCP naming the school has been admitted.
- 4.11 The £10,000 funding for unfilled places in the unit or provision reflects the need to maintain the staffing of the facility even when it is not full. Place

---

<sup>4</sup> Note, this change does not affect EHCP children *currently* attending Resourced Units, who will continue to be funded as per the existing top-up arrangements.



funding levels are agreed annually for each financial year, for each unit or provision.

- 4.12 The children attending an SEN Unit or Resourced Provision are excluded from the Targeted SEN in-year funding for schools.

Impact on the borough's revenue funding

- 4.13 Funding for pupils with EHCPs comes from the government via the High Needs Block (HNB). Providing new school places for children and young people with EHCPs does not, in itself, lead to additional funding from the government via the HNB. This is because the HNB is allocated on a formulaic basis, taking account of the 2-18 population and the historic number of agreed places for children with EHCPs, as well as data on deprivation, health and other measures. It is not expected that the HNB for the Royal Borough of Windsor and Maidenhead will be increased in the next few years.
- 4.14 Revenue for the new units or provision would, therefore, need to come from within the existing HNB, which is already under pressure. The proposals should, however, help manage future costs by providing places for up to 20 borough residents who, with support, could attend mainstream school in the borough, but currently can't because of lack of units or provision for primary age pupils with EHCPs for ASD or SEMH.
- 4.15 This cost avoidance could come from:
- the amount of top-up/element 3 funding paid, as, in future, borough residents who would otherwise attend more expensive placements (at Manor Green, Forest Bridge or at independent/out-borough places) could attend more appropriate local settings.
  - the associated home to school transport costs.
  - freeing up future places at Manor Green and Forest Bridge for pupils with even more complex needs, who currently have to attend more expensive independent/out-borough schools (with the associated home to school transport costs).
  - reductions in tribunal costs, as the borough would be able to provide appropriate places in local mainstream schools, which is more likely to be in line with parental wishes.
- 4.16 Whilst costs can potentially be reduced, going forward there will initially be an increased budget pressure on the High Needs Block as the facilities open with places funded, but not necessarily filled. The long lead-in period until opening does, however, mean that there is an opportunity to plan how the places will be used, minimising those initial costs. If these proposals go forward, therefore, officers will need to work with families and schools to identify pupils who would benefit from the new provision as soon as possible. Candidates for the spaces then freed up at Manor Green and Forest Bridge will also need to be identified, in order to realise the maximum benefits for families (bringing pupils and young people closer to home) and for the revenue budget (less costly provision).

## 5. LEGAL IMPLICATIONS

### Provision of new Resourced Provision

#### Community, Voluntary Controlled and Voluntary Aided schools

5.1 The creation of Resourced Provision at a community, controlled or aided school requires that the local authority follows a statutory process, as set out in regulations and guidance. This process involves:

- informal consultation. This would be covered by the consultation required to access the Special Provision Capital Fund (see Section 8), and is proposed for February/March 2020.
- publication of proposals (the 'statutory notice').
- 4 week formal representation period.
- decision by the local authority, to be made within two months of the end of the representation period.
- implementation. This is currently proposed for 1<sup>st</sup> September 2021.

#### Academy schools, including free schools

5.2 Adding Resourced Provision at an academy requires that the trust submits a full Business Case to the ESFA for approval. The process involves:

- notifying the ESFA at least three months before the proposed change.
- carrying out public consultation. This would be covered by the consultation required to access the Special Provision Capital Fund (see Section 8), and is proposed for February/March 2020.
- completing the full Business Case and submitting it to the ESFA.
- decision by the Regional Schools Commissioner (RSC).

5.3 Submission of the Business Case to the ESFA requires that planning permission for the new build has been obtained. This introduces a potential delay into the process that will need to be managed. In addition, recent experience with school expansions suggests that RSC decisions can take eight to ten months. Unlike expansions, where a school can itself agree to admit above its PAN regardless, it is not clear that Resourced Provision can be opened without RSC permission.

5.4 Planning Permission would be required for any extensions or new build.

## 6. RISK MANAGEMENT

Table 7: Risk Management

Risks	Uncontrolled Risk	Controls	Controlled Risk
Low response rate to the consultation.	High	The consultation will be available via both electronic and paper, and will be publicised widely.	Medium

## 7. POTENTIAL IMPACTS

7.1 **Equalities:** An Equalities Impact Assessment (EqIA) will be produced as part of the options appraisal to be reported to Cabinet in June 2020.

- 7.2 **Climate change/sustainability:** As far as possible, consultation will be carried out electronically, reducing paper usage. Any impacts of the proposals themselves will be reported to Cabinet in June 2020.
- 7.3 **Data protection/GDPR:** Any personal data received by the council as part of the consultation will be processed in accordance with the requirements of the Data Protection Act 2018.

## 8. CONSULTATION

- 8.1 The Royal Borough has already consulted with schools on which proposals to take forward, having invited expressions of interest from all state schools in the borough.
- 8.2 Consultation on the proposals is required under the terms of the Special Provision Capital Fund and statutory guidance on making significant changes to schools. It is suggested that the two consultations be combined into one, ensuring that the requirements of both sets of guidance are taken into account.
- 8.3 This consultation is proposed for March 2020, with the local authority co-ordinating the consultation for all parties, including the Windsor Learning Partnership, who are the trust for Dedworth Middle School and Dedworth Green First School.
- 8.4 The outcome of the consultation will be reported back to Cabinet in June 2020.

## 9. TIMETABLE FOR IMPLEMENTATION

**Table 10: Timetable for implementation**

Date	Details
27 February 2020	Approval to consult.
16 March 2020	Informal consultation starts.
7 May 2020	Informal consultation finishes.
26 June 2020	Cabinet consideration of outcome of consultation.
7 September 2020	Publication of proposals and start of four week representation period
5 October 2020	End of representation period.
By 23 October 2020	Council decision on whether to proceed.

- 9.1 Implementation date if not called in: 'Immediately';

## 10. APPENDICES

### Electronic only

- Appendix 1: Draft Terms of Agreement for new facilities.

## 11. BACKGROUND DOCUMENTS

- [Special Provision Capital Fund Guidance](#), DfE, January 2019.
- [Special provision fund: Allocations for local authorities from 2018-19 to 2020-21](#), DfE, January 2019.

- [Making significant changes \('prescribed alterations'\) to maintained schools](#), DfE, October 2018.
- [Making significant changes to an open academy and closure by mutual agreement](#), DfE, October 2018.
- [The School Admissions \(Infant Class Sizes\) \(England\) Regulations 2012](#)

## 12. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Commented & returned
Cllr S Carroll	Lead Member/ Principal Member/Deputy Lead Member	10/02/20	14/02/20
Duncan Sharkey	Managing Director	17/02/20	
Kevin McDaniel	Director of Children's Services	10/02/20	14/02/20
Russell O'Keefe	Strategic Director	17/02/20	
Hilary Hall	Strategic Director	17/02/20	18/02/20
Terry Neaves	Section 151 Officer	17/02/20	
Nikki Craig	Head of HR and Corporate Projects	17/02/20	17/02/20
Louisa Dean	Communications	17/02/20	

### REPORT HISTORY

<b>Decision type:</b> Key decision	<b>Urgency item?</b> No
Report Author: Ben Wright, School Places and Capital Team Leader, 01628 796572	

# DRAFT

## A Good Practice Guide for Resource Base Provisions (RBs) for pupils with complex social and communication needs

**This guide is intended as a point of reference for schools setting up a RB for pupils with complex social and communication needs and the key areas to consider.**

### **Resourced Provision and SEN Units**

Resourced Provision is for pupils who will spend more than half of their time in mainstream classes (with support), as opposed to SEN Units, where pupils spend more than half their time in special classes. For ease of reference, unless otherwise specified, this document refers to both jointly as Resource Bases (RB).

### **Description of need and suitability for a Resource Base**

To be eligible for a place at a RB , the pupil will have significant or complex social communication and interaction needs (generally an ASD diagnosis or on the waiting list). - This will be the primary need as stated on their Education, Health and Care Plan (EHCP). This means they will have clear and significant difficulties and/or differences in a number of the following areas: language development (expressive and receptive), social interaction and communication skills and understanding, emotional regulation and awareness, modulation of behaviour, flexibility of thought and varied interests, adaptability to changes and transitions, sensory needs. The pupil will have difficulty coping with full time inclusion within a mainstream setting, but has the potential for graduated inclusion and access to the National Curriculum (NC) through staff with knowledge of ASD with a higher level of specialist adult support and a flexible timetable. This may include withdrawal opportunities when needed and a 'safe space' when experiencing high anxiety. RB pupils may have other areas of difficulty (e.g. learning, anxiety) and may be unable to cope with certain areas of the curriculum, therefore alternatives will need to be considered. Patterns of behaviour may be

unsettling to a mainstream class and so RB pupils will need access to adults who are guided by their ASD knowledge and understanding to inform a graduated desensitisation and reintegration plan.

Focus	Recommendation
Ethos	<p>The drive and enthusiasm for including pupils with EHCPs for complex social and communication needs will be evident across the whole school, with all staff having a vested interest in supporting the RB pupils to succeed. Accordingly, a school with an RB will:</p> <ul style="list-style-type: none"> <li>• have a strong emphasis on inclusion and diversity. All staff and pupils will understand and celebrate individual differences, and this will be supported through the Personal, Social, Health and Economic (PHSE) curriculum.</li> <li>• have an awareness of the strengths, needs and interests of each RB pupil (e.g. via a pupil passport) and use this to inform their teaching and daily interactions with them.</li> <li>• view RB pupils as part of the whole school community. Each pupil should be registered with their mainstream class or tutor group (of the same chronological age).</li> </ul>
Staffing	<p>All staff at the school will support the work of the RB. This means that:</p> <ul style="list-style-type: none"> <li>• the overall responsibility for the RB and its pupils will rest with a named qualified teacher. This person will be the key point of contact for the RB and mainstream staff, but will be supported by other school staff, e.g. the school SENCo.</li> <li>• the RB will have several dedicated Teaching Assistants (TAs) with specialist training, who will work exclusively with RB pupils. They will support those children in the RB spaces, in their mainstream classes and during break times.</li> <li>• class teachers will have responsibility for the inclusion of the RB children within mainstream classes when needed, and one to one adult support from the dedicated TAs may not be required at all times. Teaching staff will know the RB pupils, plan for their inclusion in lessons, liaise closely with RB staff, and will have a calm, consistent and flexible approach.</li> <li>• RB pupils will have, therefore, one to one adult support when needed, whilst also enjoying more independent learning within mainstream classes when appropriate.</li> <li>• generally, a minimum of two adults with specialist knowledge and training will support (to be determined) pupils within the designated RB space.</li> <li>• RB pupils will be provided with supported social opportunities at lunch-times, with non-RB pupils are encouraged to attend as well.</li> </ul>

	<ul style="list-style-type: none"> <li>regular casework discussions will take place for all staff (RB and mainstream) to share their successes and any concerns in a structured, supportive and collaborative way.</li> </ul>
Environment	<p>There will be dedicated space within the school for the RB. The amount of space may vary depending on whether the RB is a SEN Unit or Resourced Provision, as set out in the government guidance on SEN space, Building Bulletin 104:</p> <p><u>SEN Unit</u></p> <ul style="list-style-type: none"> <li>55m<sup>2</sup> teaching space (equivalent to one full sized classroom).</li> <li>12m<sup>2</sup> dining, social and learning resource.</li> <li>4m<sup>2</sup> admin and storage.</li> <li>19m<sup>2</sup> float (space to be allocated as per the specific needs of that unit).</li> <li>35m<sup>2</sup> toilets and circulation.</li> <li>125m<sup>2</sup> in total.</li> </ul> <p><u>Resourced Provision</u></p> <ul style="list-style-type: none"> <li>16m<sup>2</sup> dining, social and learning resource.</li> <li>4m<sup>2</sup> admin and storage.</li> <li>16m<sup>2</sup> float (space to be allocated as per the specific needs of that provision).</li> <li>14m<sup>2</sup> toilets and circulation.</li> <li>50m<sup>2</sup> in total.</li> </ul> <p>The exact sizes and configurations will be agreed in consultation with the school. In general:</p> <ul style="list-style-type: none"> <li>the RB will have its own dedicated space, but this will not be completely separate to the rest of the school. This will ensure that there is an area that is always available for use by RB pupils and staff (e.g. for small group teaching, but also for RB pupils in times of stress).</li> <li>the dedicated space will be appropriate to the needs of pupils with complex social and communication needs, taking into consideration their needs (e.g. lighting, heating, and sound), for example cushions and soft seating areas, low level piped music).</li> <li>the space may have a dedicated sensory area (and it may also be appropriate for the school to have several other calming zones around the school) to assist with stress reduction at times of high anxiety. The sensory area, and</li> </ul>

	<p>other calming zones could include some or all of the following: a sensory tent, textured cushions, weighted mats/blankets, mood lighting, bubbles tubes, and other soft furnishings.</p> <ul style="list-style-type: none"> <li>• depending on the age and key stage of the RB pupils, the dedicated space could also include individual, personalised, workstations, taking into account their learning profiles. These could include, therefore, visual timetables, written and pictorial signs/labels, first and then routine, work trays, stress-o-meter, traffic light behaviour system etc.</li> <li>• the RB will have access to a dedicated outdoor area, to offer a sense of space and freedom. This could include: sand and water tables, gardening and digging areas, opportunities to explore wildlife, a place to sit quietly, playground apparatus, a shaded space away from the sun, all supported by visual aids, signage, symbols and orientation markings. The type of outdoor space will be dependent on the age/stage of the RB pupils.</li> <li>• toilets will be easily accessible for RB pupils, where visual prompts/reminders/token systems are clearly displayed (depending on age/stage).</li> <li>• whole school reward/behaviour management systems will be clearly explained to RB pupils in a way they can access (e.g. visually).</li> </ul> <p>Where possible, the whole school, including the mainstream classrooms, will reflect the needs of the RB pupils.</p> <p>The capital funding to make these changes will be made available from the Special Provision Capital Fund, within an envelope to be agreed between the school and the local authority. The scope of the capital works will be agreed via a Memorandum of Understanding between all parties. The funding will cover the furniture and fittings for the RB.</p>
Curriculum	<p>Pupils attending the RB will be taught in line with their ability, individual needs and the provision outlined in their EHCP.</p> <p>No single approach or method will be used, but staff will consider a variety of evidence-informed teaching approaches and methods, providing the opportunity to access the whole national curriculum. To deliver this learning:</p> <ul style="list-style-type: none"> <li>• staff will explain the purpose of learning tasks, providing clear expectations about outcomes and time frames, appreciating the importance of these measures, especially to RB pupils.</li> <li>• pupils may be taught in the dedicated RB base individually, in small groups (with RB staff) and in their mainstream class (supported by an RB staff member if needed).</li> </ul>



	<ul style="list-style-type: none"> <li>• RB pupils may be withdrawn from particular areas of the national curriculum where it causes significant difficulty or stress to the pupil. This would be in consultation with the pupil and their parents.</li> <li>• RB pupils' Termly Support Plans will contain targets with a focus on developing social communication and interaction skills.</li> <li>• RB pupils will have access to teaching with a strong visual emphasis and plenty of ICT opportunities.</li> <li>• teaching will use the pupil's interests and skills as a lever for their motivation.</li> <li>• opportunities for life skills work (e.g. cooking) and community visits will be provided regularly.</li> </ul>
Specialist training	<p>Schools with a RB will need to keep all of their staff up-to-date on training in relation to children with complex social and communication needs. This includes all non-teaching staff, both full and part-time.</p> <p><u>All staff</u></p> <ul style="list-style-type: none"> <li>• All staff will have appropriate training, e.g. the Autism Education Trust (AET) training as offered by Shine Outreach. This covers three levels – introduction to ASD, Good Practice in Supporting ASD, Managing ASD provision in schools, and can be offered as INSET or at the Shine training base at Furze Platt Senior School.</li> </ul> <p><u>All teaching staff, including TAs</u></p> <ul style="list-style-type: none"> <li>• All teaching staff will have training on: <ul style="list-style-type: none"> <li>○ ASD teaching and learning approaches.</li> <li>○ managing behaviour.</li> <li>○ sensory needs.</li> </ul> </li> </ul> <p><u>RB teaching staff, including TAs</u></p> <ul style="list-style-type: none"> <li>• RB teaching staff will have training in specialist areas including: <ul style="list-style-type: none"> <li>○ emotional regulation and the anxiety five point scale.</li> <li>○ person centred planning.</li> <li>○ developing expressive and receptive language skills.</li> <li>○ comic strip conversations and social stories.</li> <li>○ Time to Talk/Socially Speaking.</li> <li>○ Lego therapy.</li> </ul> </li> </ul>

	In addition, tailored packages will be provided as needs arise.
Local area support	<p>Achieving for Children will provide support for the RB, with visits from an Inclusion Practitioner and link or specialist Senior Educational Psychologist. These visits will allow the local authority to provide support, monitoring and the identification of training needs (in negotiation with the Education Inclusion Service). Visits from other professionals with a role in supporting children with EHCPs will also provide support, ensuring a holistic understanding of each child's needs (in negotiation with relevant education and health services).</p> <p>The Resourced Provision or SEN Unit would be subject to annual quality assurance visits.</p>
Home, school and community links.	<p>Parents and carers will have a key worker in school who they liaise with regularly (via email, telephone or face to face). Parents/carers will also be invited for reviews regularly and as required.</p> <p>The school will strive to host yearly twilight seminars (supported by Inclusion Practitioners) for parents and the wider community to increase knowledge of ASD.</p>
Commissioning of places	The number of places at the RB would initially be ten. The commissioning of the places would be governed by a Service Level Agreement, setting out the rights and responsibilities of both the school and the local authority in relation to the new facilities.
Revenue funding	<p>Schools with an SEN Unit or Resourced Provision receive additional revenue funding to reflect the higher costs of educating children and young people with EHCPs. The funding for pupils attending a unit or provision is, therefore, comprised of a number of elements (the figures relate to the 2019/20 financial year):</p> <ul style="list-style-type: none"> <li>• <b>Element 1:</b> This is the AWPU (Age Weighted Pupil Unit). All schools get funding for each pupil at the school as part of the school's delegated funding. This is currently £2,892.71 for a primary school and £4,027.90 for the KS3</li> </ul>

	<p>years in a middle school. Schools also receive other pupil led elements in the formula (e.g. funding for pupils with free school meals, deprivation, English as an Additional Language).</p> <ul style="list-style-type: none"> <li>• <b>Element 2:</b> £6,000 for each pupil in the unit or provision, or £10,000 for each unfilled place in the unit or provision.</li> <li>• <b>Element 3:</b> From September 2019, top-up funding for all new EHCP children at any academy, aided, community, or controlled school in the borough will be based on a matrix that considers the child's individual needs. The top-up funding will be between £2k and £16k per child, and will be reviewed annually as part of the child's annual EHCP review.</li> </ul>
Admissions	<p>Children attending the RB will be on the roll of the school. Generally, places commissioned by the local authority at a RB will be for new placements.</p> <p>It is also expected that the RB pupils will be counted within your existing Published Admission Number. This is because the School Admissions Code does not allow for places to be set aside specifically for pupils in the Resourced Provision or SEN unit. At first entry to school (e.g. for a Reception school place), children with an EHCP naming a school are given places ahead of all other applicants. For admissions outside the normal intake year, a child whose EHCP names the unit or provision will be admitted, even if the school is full in that specific year group. If the year group is an infant year group, the child is treated as an 'excepted' child for the purposes of the infant class size legislation, so that the limit of 30 children per teacher is not breached. The Royal Borough will be running a consultation panel for all admissions to Resourced Provision/SEN Units, allowing schools an input into these admissions.</p>
School attainment data	<p>Children attending the Resourced Provision or SEN Unit would be included in the school's pupil level and attainment data. Ofsted has recently on their <a href="#">2019 Education Inspection Framework</a>. This <i>"rebalances inspection to look rather more closely at the substance of education: what is taught and how it is taught, with test and exam outcomes looked at in that context, not in isolation" [1]</i>. This should mean that Ofsted will take greater account of inclusive approaches to education when inspecting schools</p> <hr/>

	<p>[1] <a href="#">Foreword, Education inspection framework 2019: inspecting the substance of education (consultation)</a>, Ofsted, 16 January 2019.</p>
--	--

DRAFT