



Department  
for Education

# **Local authority commissioned special free schools**

**An expression of interest form for local  
authorities interested in commissioning a  
special free school**

**October 2016**

## Overview

Since local authorities play a key role in placing pupils with statements or Education, Health and Care (EHC) plans, it is important that they shape the range of provision in their area. Previously, proposals to establish special free schools have only been taken forward in consultation with local authorities. **We are now providing a further opportunity for local authorities themselves to identify where a new special free school would benefit their area**, inform their Regional Schools Commissioner (RSC), and potentially seek proposals for the new school they want, with the Department for Education (DfE) providing capital funding and start-up grants. This is in addition to the central route for special free schools, which continues to operate.

This **expression of interest (EOI) form is for local authorities that would like a new special school**. It allows them to make a case that a special school would be beneficial in their area, including a case that it would help meet demographic growth, changing patterns of need, and cost pressures, without reducing inclusion. It provides RSCs with the initial information they need to understand what is wanted and why. If the EOI is successful, the opportunity will be advertised nationally, and if a strong proposal comes forward that both the local authority/authorities and the Secretary of State wish to take forward, the DfE will provide capital and start-up grant funding, subject to value for money assessments covering both the affordability of the site solution and the limitations on overall capital availability. Please see the accompanying guidance for further detail.

The form should be completed by a local authority representative (or representatives, if it is a joint bid) with the approval of the Director of Children's Services (DCS).

This opportunity is intended to identify and meet untapped demand for special free schools as a supplement to LA's existing resources. It **does not replace the 'presumption' process nor does it replace a local authority's duties to ensure appropriate placements for all children with Special Educational Needs (SEN)**.

You should use this form to provide all the necessary information and evidence for your proposal. Please:

- email your RSC during October to say whether you are interested and give any headline facts available (email addresses are in the guidance)
- Return this EOI, completed, to [freeschool.special@education.gov.uk](mailto:freeschool.special@education.gov.uk) copying in your RSC, **by midday on 11 November**.

More detailed information about this process can be found in the [local authority-commissioned special free schools guidance](#).

## Section A – Key facts about the school and the local authorities that want to commission it

### A1: Who is putting forward this expression of interest?

If this is a joint EOI, please fill in the table below for each LA involved and state the lead LA below. The Regional Schools Commissioner’s team may need to contact these people to understand more about the EOI. **Please note that including a LA on this list means that they have committed to commissioning places.**

Name of LA	Name of person leading	Contact details
Herefordshire Local Authority	Andy Hough Head of Educational Development, Children’s Wellbeing.	<a href="mailto:ahough@herefordshire.gov.uk">ahough@herefordshire.gov.uk</a>
<i>[if applicable – name of 2<sup>nd</sup> LA. Please add rows for additional LAs who have committed to commissioning places.]</i>		

### A2: What type of school is wanted?

**Please provide key information about the school you would like to commission:**

<b>Category of SEN provision (if more than one type, with different top-up rates, please explain)</b>	<ul style="list-style-type: none"> <li>Severe and complex learning disability and autism 16- 19 year olds</li> </ul> <p>These broadly are in bands D, E and F of the Herefordshire high needs matrix.</p>
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<b>Per-pupil revenue funding you would expect to pay (if a range of rates, please explain)</b>	<p>Revenue funding comprises £10 000 for element 1 and 2 per pupil funding plus element 3 bands at the following rates.</p> <table border="1" data-bbox="576 215 1115 371"> <thead> <tr> <th>Band</th> <th>Element 3 amount</th> </tr> </thead> <tbody> <tr> <td>D</td> <td>£8,630</td> </tr> <tr> <td>E</td> <td>£12,400</td> </tr> <tr> <td>F</td> <td>£16,790</td> </tr> </tbody> </table> <p>The element 3 band is determined by an agreed high needs matrix which plots the profile of need of the pupil and allocates an amount.</p>	Band	Element 3 amount	D	£8,630	E	£12,400	F	£16,790
Band	Element 3 amount								
D	£8,630								
E	£12,400								
F	£16,790								
<b>Age range</b>	<p>16-19 years of age = national curriculum year groups 12, 13 and 14.</p>								
<b>Gender (boys/girls/co-educational)</b>	<p>Co-educational</p>								
<b>Total number of proposed places</b>	<p>50 of which 30 are new places.</p>								
<b>Early years provision? If so, how many places?</b>	<p>No</p>								
<b>16-19 provision? If so, how many places?</b>	<p>Yes 50 places adjacent to the existing post 16 colleges</p>								
<b>Community use/shared facilities</b>	<ul style="list-style-type: none"> <li>• Multi agency hub for assessment, support around SEND</li> <li>• Resource hub for outreach support to mainstream SEND provision</li> <li>• Centre of Excellence supporting teachers and support staff of SEND in mainstream and specialist settings</li> <li>• Centre for 16-19 SEND information advice and guidance</li> <li>• Support for current SEND learners in mainstream further education colleges</li> <li>• Outreach support for providers of internships/work experience for 16-19 learners</li> <li>• Community facility outside of school hours promoting inclusive and supportive approaches to disability.</li> </ul>								

Please use this space to expand on any of the key information above [max. 200 words]

Herefordshire needs to commission a special free school for 50 young people aged 16-19 who have severe and complex learning disabilities including autism, on a site adjacent to the existing outstanding sixth form college and other local colleges serving the region. Current provision is already overcrowded, unsuitable and in poor condition and there are no further opportunities for expansion other than a new school. In line with other local authorities Herefordshire has seen an increase in numbers of young people with the most severe and complex learning disabilities and the forecasting suggests that this will increase by a further 30 places over the next 10 years. The new special school would absorb some of those who are currently placed where there is all through provision and capacity to organise and deliver suitable curriculum and learning opportunity for the age group is limited. Combining the places in the unsuitable and overcrowded provision with the expected growth (i.e. 20 + 30) will enhance the efficiency of the delivery arrangements for this age group.

The free special school would be a focal point supporting inclusion of young people into the adjacent colleges through time out facilities, advice and support for staff and multi-agency facilities.

### A3: Conversations with partners

Local authorities (in particular smaller ones) **must** speak to their neighbouring LAs to check whether they want to commit to commissioning places at the new school at the specified top-up rate. If they do not, LAs may put in a solo EOI. Authorities **may** speak to other partners in order to ensure that their EOI will complement the local landscape and be a close match for what families want. If you have not engaged with your Schools Forum before sending this EOI to your Regional Schools Commissioner, you will need to do so if successful.

Who?	Conversation summary (3 points max)
Your neighbouring LAs – please specify Worcestershire, Gloucestershire Shropshire, Powys.	Dialogue with SEND commissioners from neighbouring LA's – <ul style="list-style-type: none"> <li>• Shows that Gloucestershire has expanded 16-19 provision in special schools across Gloucestershire over the past 3 years and strengthened partnerships with local mainstream FE colleges and ISPs to enable more young people to have their education and care needs met in the county. They do have a small number of post 16 learners in settings in Herefordshire and they welcome and support Herefordshire's plans to develop 16-19 provision in Hereford city. They are not looking at making a commitment to contracting for places at the current time.</li> <li>• Confirm that Shropshire and Powys would continue to be interested in this proposal, both authorities have historically occasionally used providers for post 16 SEND in Herefordshire.</li> <li>• States that Worcestershire would be open to commissioning places in Herefordshire for those 16-19 students living in the west of Worcestershire. The train and travel links for this area are well used by students coming into the Hereford colleges.</li> </ul>

Who?	Conversation summary (3 points max)
Optional: Your Parent / Carer Forum, or other representatives of parents and young people	Herefordshire has a special education need and disability advisory service (SENDIAS). Members of this service speak regularly with parents. Parents recognise the current challenges and are supportive of the need for a free school for this age range.
Optional: Any other partners, Schools forum, existing FE colleges etc (please specify)	The Herefordshire special schools are very aware of the challenges associated with overcrowded and unsuitable provision post 16 and would welcome an initiative to provide more spaces and better facilities.

## Section B – The proposed location and site (if applicable)

Please describe where the school would be located and whether a site has been made available/identified. Making a site available on a peppercorn lease gives the greatest chance of the school opening successfully, and on time.

*Please include as much detail as possible as this will help your EOI:*

A suitable site adjacent to the existing 3 colleges in Hereford has been identified.

- This was previously Broadlands Primary School site, Hereford – Broadlands Primary School, Prospect Walk, Hereford, HR1 1NZ
- The site area is 21,798m<sup>2</sup>, or 5.4 acres
- The site available is owned by Herefordshire Council. It was previously used to provide primary school accommodation and therefore has education use as a planning designation. The primary school buildings were very poor quality and expensive to repair, maintain and run. The primary school was therefore relocated to a remodelled school building on a neighbouring high school site in September 2015. The original and now redundant primary site is currently 'mothballed' and set to be demolished.
- The site identified would be available with immediate effect should a LA commissioned free school be granted and a successful proposal received.
- Work towards project implementation on the identified site could be started with immediate effect.
- The site tenure would be made available on the basis of a 125 year academy lease from Herefordshire Council.
- *If applicable, whether the site is co-located with another school etc.*

Please provide the name and contact details for the main LA contact about the site. The EFA may contact this person to ask questions about the site. **If you know any of these site details before**

**submitting your EOI, please let DfE know by emailing**

**[FreeSchools.EFACAPITAL@education.gov.uk](mailto:FreeSchools.EFACAPITAL@education.gov.uk)) so we can start conversations with you.**

[ahough@herefordshire.gov.uk](mailto:ahough@herefordshire.gov.uk)

please tick the box below to confirm that the relevant Lead Member for Corporate Property has seen this expression of interest and is content with the information provided about site (if provided).

I confirm that the Lead Member of Corporate Property at **Herefordshire Local Authority** has seen **this expression of interest and supports it.**

Please tick to confirm



## Section C – Rationale for School

Please provide an explanation of how and why this provision is required and how it would benefit the local area. [500 words max.]

Herefordshire has been recognised for knowing its provision well and having ambition and clear sense of purpose for children and young people with special educational needs and disabilities in the recent joint area inspection ( October 2016 ).

Regular monitoring and examination of the profiles of needs currently required across the SEND spectrum and the known demand in the future are such that a new 16 -19 provision of 50 places for young people with the most severe and complex difficulties needs to be created.

There is an effective system of tracking and identifying the needs of children and young people with complex needs who will move into adult services. However, in terms of meeting the needs of 16-19 learners, we recognise there are still areas to develop. The current provision lacks cohesion (three settings and additional out of county placements), and does not fully exploit the potential for links to mainstream 16-19 provision. In the recent joint local area SEND inspection some parents felt that information about transition and post 16 providers and services and opportunities post 19 including housing employment for SEND learners could be improved.

The new commissioned SEND free school would combine some current places (20) and enhance opportunities, thus maximising the use of funding. Also in order to accommodate the expected increase in places (30) needed over the next 5-10 years.

The proposed site is within very close proximity to a campus of three good and outstanding FE colleges, in the City of Hereford, which is centrally placed for rail and bus travel, and would support current mainstream SEN learners as well as those placed in the new free school.

Current 16-19 SEND provision does not provide a robust link to post 19 provision, to give maximum opportunity for SEND young people to develop independent self-supported lifestyles. A new free school for 16-19 learners in the City, would provide opportunity for efficient and effective transition to post 19 support. Herefordshire is the fourth most sparsely populated LA in England, and as such, the proposed free school would not attract large numbers of learners from neighbouring LAs, however, should the facility grow and develop quality and breadth, it may well be able to provide future attractive opportunities for young people with SEND in Worcestershire, Gloucestershire Powys and Shropshire. Initial discussions with these LAs suggest that all four of these LAs would be interested in commissioning places in principle, particularly Shropshire and

Powys. However in the first instance, the new school would improve the current post 16 offer, and strengthen the opportunities to collaborate with mainstream 16-19 organisations, whilst also building more cohesive links into post-19 provision and into independent living. In terms of providing value to the wider SEN community, the LA would anticipate that the successful proposer would offer outreach support for teachers of SEN in mainstream 3-19 schools, and in addition would provide expertise to support SEN CPD in all schools within Herefordshire. The new free school could also become a hub for in-county SEN assessment at all ages, working with health and social care to facilitate early identification and referral where appropriate. The development of consistent high quality therapies at the school could lead to improvements in therapy work across all settings.

The school would work with the three existing special schools accommodating LD learners, to ensure that transition to the new school at 16 was smooth and effective for both young people, and also their parents. There would be a strong focus on cohesive dissemination of information for transition into and out of the 16-19 school, with high quality IAG to ensure the development of high aspiration and strong pathways for young people with LD.

The streamlining of current provision into one 16-19 setting would allow economies of scale and work towards best value provision in use of available funding. Economies of scale would include staffing arrangements, site maintenance and repair costs and also energy efficiencies generated by the use of one modern fit for purpose building as opposed to three older, expensive and high maintenance buildings.

In order to be able to offer the flexibility to accommodate fluctuating numbers and types of LD year on year, the construction of a single 16-19 facility with purpose built accommodation and close proximity to transition providers would allow higher quality education, smoother pathways, economies of scale and reduced running costs compared to the three current settings.

## Section D - Pupil data and existing SEN provision

The purpose of this section is to help us to understand the need for a new school in the context of how existing provision is used, and future expected growth in need. We want to approve EOIs that:

- address demographic growth
- help LAs meet what pupils and parents want
- help LAs manage within their budgetary constraints
- We do not want to approve EOIs that have the side-effect of decreasing inclusion in mainstream schools, or of creating excess spare capacity in existing special schools. (eg. if several LAs each want a similar school, any one of those might make sense on its own but in aggregate there might not be enough need.) In this section you need to explain how the places in this school would be filled and where the pupils would come from (D1). You also need to explain the general demographic trends and placement trends for *all* pupils with EHC plans (D2).



## D1: Pupils who would go to the new special school

Please indicate how you expect the places in this school to be filled, and the impact on inclusion.  
[500 words max.]

50 16-19 year olds of which 30 aged 16-19 students with severe and complex SEND including autism would be filled from expected future growth and 20 from the current overcrowded and unsuitable places on different sites across the county. Greater student/parental satisfaction would be achieved by being able to offer these and future learners provision in one setting in Hereford City. Students would be part of one school and experience more vibrant social interaction with larger numbers. Bringing all of the provision under one roof in a new build close to FE colleges would be attractive to SEN learners 16-19 and potentially increase attendance and participation.

The total 16-19 year old number in Herefordshire is predicted modest growth (5550 to 5680 between now and 2021). Using the current percentage of SEN 16-19 accommodated in special settings to predict demand, and known numbers in local special settings, gives a modest increase in places required in five years' time.

Proportions of SEN pupils in mainstream would not reduce as a consequence of the proposed new school. The intention would be to improve quality of transition, outcomes, and destinations for young people currently accommodated in special school settings, improve the coherence and breadth of provision, whilst ensuring that identified future demographic growth, including provision for small numbers of students from neighbouring LAs is fully supported by flexible and appropriate provision.

The funding model used to commission places for SEN children and young people in Herefordshire would remain the same. The high needs funding matrix assesses need based on a matrix of descriptors. Identified needs are scored and an indicative amount of top-up from the tariff applied. However, by bringing all of the appropriate students from the current three settings under one roof, economies of scale would be evident. Such economies would be anticipated in revenue spending, and also in maintenance avoidance and more efficient running costs. The wider value anticipated, would be the provision of a central hub for teacher CPD in a central location for the county and easily accessible for county school personnel.

Settings used at the moment present significant problems relating to size, suitability and location. Opportunity to commission a free school to help resolve future pressures and provide a single better and appropriately located setting for 16-19 SEN is exciting, and would enable Herefordshire Council to move further and more quickly towards achievement of the aims within the schools investment strategy than without the prospect of central government investment.

## D2: Trends in your specialist provision for all children with EHC plans

Please use the table below to describe the recent, current and projected trends of specialist provision that caters for **children with EHC plans living in your LA(s), of the age range for**

**which you want the new school** (drawing upon [SEN2 Data](#) ). If this is a joint bid, ie. other LAs are committed to commissioning places, either fill in the table once for the LAs together, or copy/paste the table and fill it in for each LA (please say which you have done). **The projected data for 2020 should show the pattern you expect if this EOI is successful.**

	No. of Settings	Please indicate the no. of pupils with an EHC plan living in your LA who are placed within these settings		
		2012	2016 (as at Sep 2016)	2020
Resourced provision and units inside LA				
Resourced provision and units outside LA				
Special schools (either maintained or academies) inside LA	2 for LD learners from 16-19	21 ( 16-19)	55 (16-19)	80 ( 16-19)
Special schools (either maintained or academies) outside LA				
Independent / non-maintained special schools inside LA				
Independent / non-maintained special schools outside LA				
Mainstream schools inside LA				
Mainstream schools outside LA				
General FE colleges (if relevant) inside LA	3	N/A	36	40
General FE colleges (if relevant) outside LA	3	N/A	3	3
Specialist FE providers (if relevant) inside LA	1	N/A	4	4
Specialist FE providers (if relevant) outside LA	1	N/A	1	0

Please provide a brief explanation of any recent trends and the rationale for future projections [200 words max.]

The total number of 16-19 year olds in Herefordshire is currently 5550. This is expected to rise to 5680 in 2020 (census plus 7.5% inflation of 396) an increase of 130. While this increase is small the factors associated with the overall increase in numbers in special schools and the raising of the participation suggest the number are expected to increase from 55 – 80.

Taking the trend of % in special school places it is reasonable to forecast placement of 1.2% of the 16- 19 Herefordshire population are placed in special schools. This methodology gives rise to a forecast of approximately 70 places. Give current practice of accommodating young people from across the borders it is anticipated that there will be an additional 10 students seeking places.

Examination of the trends in the profiles of need in statements of SEN and EHC plans suggest there is a wave of children and young people with more severe needs in mainstream and special schools. Their complexity of need requires more specialist help and support resulting in higher top tariffs being required. As these young people move through education it is crucial there is high quality support enabled by focusing the expertise close to the focus of 16 -19 provision in Herefordshire.

## Confirmation

I confirm that the Director of Children's Services at **Jo Davidson** has seen this expression of interest and supports it.

Please tick to confirm



Date (DD/MM/YYYY)

11/11/2016