

# LONDON BOROUGH OF HAMMERSMITH & FULHAM

**Report to:** Cabinet Member for Children and Education – Cllr Larry Culhane

**Date:** 11/11/2021

**Subject:** Maintained Special School and Resourced Provision Strategy

**Report author:** Daryle Mathurin, Strategic Lead Education, Assets and Operations  
Joe Gunning, Programme Lead, Children’s Commissioning

**Responsible Director:** Jacqui McShannon, Director of Children’s Services

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## SUMMARY

Hammersmith & Fulham (H&F) is responsible for ensuring sufficient local provision for children and young people with special educational needs. This includes ensuring there is suitable provision and sufficient numbers and types of specialist placements to meet local and regional needs.

This paper summarises the short-term strategy in lieu of the outcome of the SEN sufficiency review for H&F Special Schools and additionally resourced provision in H&F for the 2022/23 financial year.

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## RECOMMENDATIONS

The Cabinet Member for Children and Education:

1. Approves the short-term strategy for H&F Special Schools and additional resourced provision for the 2022/23 financial year set out in table 1 at a total cost of £2,990,000.
2. Approves the increase of special school place funding arrangements for Cambridge Special School from 1 April 2021 at a total cost of £420,000.
3. Delegates authority to the Director of Education to finalise Service Level agreements with H&F Special and Mainstream schools to give effect to points 1 and 2.

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**Wards Affected:** All

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<b>Our Values</b>	<b>Summary of how this report aligns to the H&amp;F Values</b>
Building shared prosperity	Continue the delivery of outstanding specialist education for H&F children and young people.

Creating a compassionate council	Support the sustainability of the H&F special school and specialist provision to continue the delivery of quality special education and support for H&F children and young people.
Doing things with local residents, not to them	Maintaining high quality provision to allow further co-design with schools, parents, and partners to meet aspirations and changing needs.
Being ruthlessly financially efficient	Continued delivery of a robust specialist education provision to meet the learning needs of H&F children and young people locally.
Taking pride in H&F	Continued delivery of a robust specialist education pathway for H&F children and young people, allowing the H&F family of schools to continue to support H&F children and young people to play an active part in their local community, achieving paid employment, independent living, good health and relationships.
Rising to the challenge of the climate and ecological emergency	Schools are a key partner for supporting H&F's climate agenda alongside partner organisations; building on their knowledge to design a robust climate curriculum for all settings in H&F.

## Financial Impact

### St. John XXIII Catholic Primary School

The proposal is to regularise the funding for the provision of an enhanced service within the Singh Suite.

In Financial Year (FY) 2020/21 the school received a lump sum payment from the High Needs Block of £127,500 to set up this provision. Top-up was paid for an average of 11 pupils totalling £85,595. The average top-up per pupil was £7,781. It is assumed that for each pupil that the school contributed £6,000 per pupil from within its school budget share funded through the Dedicated Schools Grant (DSG) Schools Block. In total, the school received total FY 2020/21 funding of £213,095 from the High Needs Block (HNB).

The proposal for 2022/23 assumes a higher top-up per pupil in the range of £9,458 to £12,000 which assuming 11 pupils are eligible would give a full year cost to the High Needs Block of between £104,038 and £132,000. The school will not receive an additional lump sum.

### Miles Coverdale Primary School

There are 20 high needs places commissioned at the unit within the school. The cost to the DSG HNB is £120,000 for the financial year 2021/22 as the HNB contributes £6,000 per place. The school contribute £4,000 per place.

At the beginning of the academic year 2021/22 there are 21 pupils accessing the unit. Only 8 current pupils have an Education and Health Care Plan (EHCP).

FY 2021/22 Current position

Core Funding	Number of places	Rate £	Schools contribution: Schools Block DSG £	High Needs Block DSG £
Filled places element 1	20	4,000	80,000	
Filled places element 2	20	6,000		120,000
Filled places element 3 Top-up	8	4,256		34,048
Further top-up if all 20 places are filled with young people with EHCPs	12	4,256		51,076
<b>Total</b>			<b>80,000</b>	<b>154,048</b>

The proposal is to re-purpose the provision to extend to KS2 pupils with specific speech and language needs. This is intended to ensure that the full complement of 20 commissioned places are utilised as these are being commissioned and funded by the DSG HNB.

Should the 20 places be filled, the HNB will incur additional top-up costs as each pupil will have an EHCP which could result in an increased cost to the DSG HNB of £51,072. This is based on 20 pupils at a top-up rate of £4,256 generating a top-up cost of £85,120. It is expected however that this will lead to savings elsewhere in the DSG HNB as it will reduce more expensive out of borough provision and associated transport costs.

#### Woodlane High School

There is no financial impact as the proposal is to maintain the number of places at Woodlane High School at the existing commissioned level of 100.

#### Cambridge Special School

The proposal to increase the commissioned place numbers to 117 for FY 2021/22 increases the place funded through the DSG HNB by 42 compared to the previously commissioned figure of 75, an overall increase of £420,000.

An expected increase of 25 places (£250,000) was included in the ESFA safety valve forecast and action plan. However, the further 17 place increase has a full year adverse impact of £170,000. A proportion of the increased cost will be in relation to non-H&F resident pupils for which H&F HNB funding will be adjusted.

The increase in funding is linked to targeted HNB savings on special school therapies of circa £70,000 at Cambridge School.

#### Jack Tizard Special School

There is no financial impact as the proposal is to maintain the number of places at the Jack Tizard Special School at the existing commissioned level of 70.

## OAT Academy - Bridge and Courtyard

The proposal is to commission five SEN places at the Bridge Academy and six SEN places at the Courtyard Academy for the academic year 2022/23. This is in addition to the proposal to commission 45 alternative provision (AP) places at the Bridge Academy and eight AP places at the Courtyard Academy. The commissioning of the SEN places should be considered with the AP places for the purposes of explaining the financial impact.

The School and Early Years Finance (England) Regulations 2020 state that the local authority should agree the number of AP places to be commissioned in consultation with schools in the area. Consultation may also be required with other local authorities and schools out of the area if they are likely to commission places at the provision also.

The current arrangements for the academic year 2021/22 are 72 commissioned AP places at the Bridge and 16 at the Courtyard.

The impact of the proposed 24 total place reduction from September 2022 for the 2022/23 academic year is shown in table 2.

Table 2 – Financial Impact of Proposed 2022/23 Place Numbers

Provision	2021/22 Academic Year Places to support core running of provision	2022/23 Academic Year Proposed Places	Change Places / Cost £	Change in AP top-up cost £
The Bridge – AP	72	45	(27) / (£270,000)	(324,567)
Courtyard – AP	16	8	(8) / (£80,000)	(0)
The Bridge – SEN	0	5	5/£50,000	60,105
Courtyard – SEN	0	6	6/£60,000	72,126
<b>Total</b>	<b>88</b>	<b>64</b>	<b>(24) / (£240,000)</b>	<b>(£192,336)</b>

This represents a total reduction of £432,336.

The revised place commissioning numbers reflects the proposed places for the 22/23 academic year. Although this represents a reduction of place funding it is recognised the top-up will need to be revised to meet the needs of the cohort for that year.

Discussions are ongoing with OAT to finalise the revised top-up following the reduction of activity. The expected ranges of the required top-up to meet the needs of the children and young people in the commissioned places is:

AP: £14,021-£14,521

EHCP: £10,000-£11,000.

The EHCP top-up for the commissioned place is paid on top of the AP Top-Up.

The net effect of these movements enables delivery of the agreed Safety Valve target of £225,000. There is a risk that agreement may not be reached on these rates which would put the safety valve saving at risk.

## **Legal Implications**

Section 13 of the Education Act 1996 places a duty on a Local Authority to ensure sufficient primary and secondary education provision is available to meet the needs of the population in its area including pupils with additional Special Educational Needs.

The Council also has duties under the Children and Families Act 2014 to make special educational provision for children and young people whose needs cannot reasonably be met from the resources normally available to schools and post-16 institutions

Education funded by the High Needs Block of the DSG is provided to meet the Council's statutory duties under section 19 of the Education Act 1996 to provide education for pupils needing alternative education and the Council's statutory duties under the Children and Families Act 2014 to meet the needs of pupils and young people up to the age of 25 with special educational needs.

Approval of the strategy contributes to the fulfilment by the Council of these obligations.

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## **Contact Officers**

Name: Daryle Mathurin  
Position: Strategic Lead, Education, Assets and Operations  
Telephone: 07816 661199  
Email: [Daryle.Mathurin@lbhf.gov.uk](mailto:Daryle.Mathurin@lbhf.gov.uk)

Name: Joe Gunning  
Position: Programme Lead, Children's Commissioning  
Telephone: 07769672031  
Email: [joe.gunning@lbhf.gov.uk](mailto:joe.gunning@lbhf.gov.uk)

Name: Caroline Baxter  
Position: Strategic Finance Manager  
Telephone: 02087534322  
Email: [caroline.baxter@lbhf.gov.uk](mailto:caroline.baxter@lbhf.gov.uk)  
Reviewed by Tony Burton, Head of Finance Children's Services and Education, [tony.burton@lbhf.gov.uk](mailto:tony.burton@lbhf.gov.uk)  
Verified by Emily Hill, Director of Finance

Name: Jade Monroe  
Position: Chief Solicitor Social Care  
Telephone: 0208 752 2695  
Email: [jade.monroe@lbhf.gov.uk](mailto:jade.monroe@lbhf.gov.uk)

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## **Background Papers Used in Preparing This Report**

None

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### **DETAILED ANALYSIS**

#### **Background and context**

##### **Existing local provision and identified gaps**

1. There are four Special Schools in H&F all of which are rated Outstanding or Good by Ofsted. There are two traditional resourced provisions in H&F; Miles Coverdale for children with speech, language, and communication needs (SLCN), and Queens Manor for children with moderate learning difficulties (MLD). Queensmill Special School also operates satellite provision for autism spectrum condition (ASC) at Fulham Primary, Fulham College Boys and Fulham Cross. This approach was developed in response to rising demand for Autism specific places; however, these are not traditional resourced bases as the children remain on the Queensmill School roll.
2. We have strong special school provision in H&F but recognise that the current range of provision for SEND and structure of our additional resourced/unit provisions is somewhat limited and that many learners could benefit from placements that offer a hybrid of specialist and mainstream interventions that supports their gradual and active inclusion in mainstream settings.
3. Speech, language and communication needs, ASC, SLCN and Social Emotional and Mental Health (SEMH) continue to be the most significant assessed primary needs in children with Education, Health and Care (EHC) Plans in H&F.
4. The 2019/20 school census data show high numbers of H&F learners with autism in Special School provision compared to Inner London. The Inner London average is 49% of pupils with ASD in Special Schools with H&F at 58% for resident population. A limited ASD pathway and the structure of local ASD provision has resulted in the overuse of specialist provision and subsequent use of the independent day sector to meet local need. The overall national care sufficiency for children with complex needs has also resulted in an increasing demand for independent placements for Looked After Children.
5. SEMH is a gap in the H&F local provision that is being met by the independent sector which often limits the use of the ordinarily available provision, community inclusion and integration into the wider local offer pathways.

##### **Vision**

6. Our vision is to build a better future for children and young people. We are committed to making H&F a place where every child has the best possible start

in life, grows up feeling cherished, loved and realises their full potential as young citizens. We will provide the right support at the right time to enable our families and communities to ensure all children are safe, healthy and thrive. We will nurture relationships that are respectful, collaborative and empowering. Our highly skilled teams will work in partnership to ensure services remain efficient, responsive and support the building of resilience and prosperity for all children and young people.

## **LA strategy and identified commissioning and development priorities**

7. Officers are working to develop a SEN sufficiency and Alternative Provision (AP) planning strategy to ensure best value for money by place planning in advance and ensuring our specialist settings meet present and future needs of H&F children and young people. The sufficiency review will identify opportunities for the creation of enhanced provision or resource bases to offer greater choice within mainstream provision.
8. H&F specialist services are currently being re-designed to align with the medium to long term provision needs of the borough, with a particular focus at SEN Support, developing capacity in mainstream settings to meet a higher level of need at all ages and stages through access to a hybrid model of traded and centrally supported interventions.
9. Several innovative solutions have been piloted to support inclusion and develop cost effective approaches to meet the needs of children and young people including:
  - A current pilot at Miles Coverdale provides access to intensive SLCN interventions to support re-integration into mainstream schools without the need for an EHCP. Referrals and oversight of this new approach is being overseen by the Early Support panel.
  - An enhanced provision for learners with autism at The Singh Suite at St John XXIII Primary School supporting learners that would have otherwise been placed at Queensmill Special School.
  - An extension and creation of an enhanced local offer at Old Oak Primary and Wormholt Park Primary to meet the needs of over 30 children creatively at SEN support and prevent escalation to the EHCP process.
  - Enhanced provision in other mainstream primary schools to meet local demand for specialist provision and prevent the need for children to travel outside of the borough.
10. Work is now on the way to learn and build on the pilots undertaken to date. One of the key aims of our SEN sufficiency review is to build capacity in mainstream settings to develop local, cost effective provision for children and young people who can access a mainstream curriculum but may find accessing a mainstream classroom on a full time basis challenging.

## **Interim approach per setting**

St. John XXIII Catholic Primary School

11. Following the successful pilot across the last two academic years, this paper seeks to regularise the current arrangements for the 2021/22 academic year in lieu of the outcome of the SEN Sufficiency Review.
12. The Singh Suite provides enhanced inclusive provision for pupils with an EHC Plan or undergoing an EHC needs assessment.
13. It is proposed to temporarily retain this provision to enable the school to continue to effectively meet ASD needs within an inclusive mainstream setting prevent escalation to specialist provision. The temporary arrangement will result in a top-up funding band from £9,458.33 to £12,000, discounting the £6,000 SEN notional funding per each pupil.

#### Miles Coverdale Primary School

14. Miles Coverdale operates a Specialist Speech and Language Resource Base for children aged 3 to 7 years with have speech, language, and communication needs (SLCN).
15. The Miles Coverdale Resource provision is commissioned to provide 20 places for Key Stage 1 (KS1), children aged between 5 and 7, during Years 1 and 2.
16. There is increasing demand for SLCN provision in Key Stage 2 (KS2), children aged between 7 and 11, during Years 3 to 6, leading to several pupils being offered places out of the borough. The cost of an out of borough placement in a neighbouring borough is £15,158 per learner which has indicated their intention to make additional charges for Speech and Language Therapy which would increase the cost of future placements. The cost of travel support depends on the number of children that can travel together and the passenger assistant requirements. The annual taxi costs for a daily 4.9-mile journey for 39 weeks is calculated at £8,903. The cost of the taxi and the passenger assistant is £13,650 per annum per learner. The total cost of transport for the 5 learners is estimated to be more than £50,000 per annum. 19 of the 20 commissioned places are being used. Eight of these children have an EHCP with the remainder at SEN Support. This pilot was put in place for a two-year period to address the under use of places at the time and moderated through the Early Support Panel.
17. It is intended that these places will no longer be used as the newly formed Joint Communication Team in INSPIRE will be supporting a whole school communication approach to meet the needs of pupils in their school, which removes the need for the targeted interventions at Miles Coverdale.
18. It is proposed to maintain the commissioning numbers at 20 and re-purpose the places used under the current SCLN pilot to accommodate the KS2 expansion.

#### Woodlane High School

19. Woodlane High School is a H&F maintained special secondary school. The school supports young people with SLCN; ASD; and MLD.
20. Woodlane is commissioned to support 100 young people and there are currently 100 pupils on roll. A review has been undertaken of the Top-Up for



Woodlane School and was approved by the Director of Children's Services on the 13 July 2021. The revised top-up is now inclusive of therapies to enable the school to deliver a whole school therapy model to meeting SLCN, as well as Occupational Therapy Needs. Historically therapies costs have been recouped separately from placing authorities.

21. It is recommended to maintain the current 100 commissioned places at Woodlane.

#### Cambridge Special School

22. Cambridge School is a H&F maintained special school for young people of secondary school age. The school supports young people with MLD; severe learning difficulties; SEMH needs.
23. The current commissioning arrangements for Cambridge School is historic and has not been reviewed to reflect the current demand and pupils on roll. The school is currently operating 42 places more than the 75 commissioned places.
24. There is shared agreement on the need to regularise the place funding arrangements at Cambridge and in so doing, use enhanced core funding to create a whole school therapy offer.
25. The Cabinet report of 1 February 2021 delegated authority to the Director of Children's Services to increase the number of commissioned places at Cambridge School up to 25 places from 1 April 2021. Cambridge governors and school leadership have challenged our recommended increase.
26. Finance and Education Service colleagues worked with the school to support a shared understanding of their finances and the delivery of a school therapy offer.
27. It is therefore recommended that we increase Cambridge school place funding by 42 places to reflect the 117 pupils currently on roll. The increased place funding will allow the delivery of Speech, Language and Communication Needs (SLCN) provision as well as Occupational Therapy (OT) to ensure a whole school approach to the delivery of therapies.

#### Jack Tizard Special School

28. Jack Tizard is a H&F maintained special school for children and young people with profound and multiple learning difficulties.
29. The top-up rate at the school was set in 2013 at £24,482 per pupil per annum, irrespective of level of need. Since 2013, however, the health and learning needs of the cohort of pupils at the school markedly increased in complexity, meaning pupils at Jack Tizard School require an increasingly high ratio of supervision.
30. H&F Schools Forum agreed a top-up funding rate increase of £6,475 for Jack Tizard Special School. This took annual top-up rates to £30,957 with effect from the 2019 Autumn term.

31. Jack Tizard is currently commissioned to support 70 children and young people. It is recommended to maintain the current commissioning arrangements.

#### OAT Academy - Bridge and Courtyard EHCP provision

32. OAT Academy provide Resourced Provision for children and young people with an EHCP who have Social, Emotional and Mental Health needs.
33. In lieu of the SEN Sufficiency Review which will determine the medium to long term requirements and designation of provision, H&F have determined a requirement of five places at The Bridge and six places at The Courtyard to continue to meet local need. This will formulate as part of a one-year bridging Service Level Agreement. The top-up will be paid per place for the full year. The EHC top-up paid in addition to the standard AP top-up will be paid on a participation basis.
34. It is recognised that the top-up rate will need to be reviewed as part of an open and transparent process with the provider to reflect the service delivery costs at a lower level of activity. The EHCP top-up will be paid on a participation basis.
35. Discussions are ongoing with OAT in relation to the revised top-up and options have been presented to them. We will continue to work with OAT to reach an agreement that enables delivery of the Safety Valve commitment.

#### **Reasons for Decision**

36. As detailed in the High Needs Funding Operational Guidance: 2021 to 2022: "High needs funding is provided to local authorities through the high needs block of the dedicated schools grant (DSG). Local authorities must spend that funding in line with the associated conditions of grant, and School and Early Years Finance Regulations."
37. The high needs funding block provides local authorities with resources to support provision for children and young people with special educational needs and disabilities (SEND) from their early years to age 25, enabling both local authorities and institutions to meet their statutory duties under the Children and Families Act 2014.
38. Local authorities determine how much to set aside in their high needs budget for place and top-up funding given to institutions and have flexibility to change funded place numbers.
39. Place funding should broadly reflect both local authorities' recent commissioning activity and strategic planning to secure suitable special educational needs and disabilities (SEND) provision and AP, in line with their statutory responsibilities and regional requirements.
40. Local authorities are required to consult with institutions in their area and discuss both current numbers of places being taken up, which will be included

on the school census and special educational needs and disabilities (SEND) provision (ILR) returns, and the number of places required in future.

## **Equality Implications**

41. There are no direct negative equality implications for groups with protected characteristics, under the Equality Act 2010, by the approval of the school place commissioning arrangements set out in the recommendations.
42. Officers anticipate a neutral impact as the funding model outlined in this report is intended to provide financial stability to schools. The report does not recommend a decrease in the place funding allocation. In some cases, the report allows for an increase in the place funding allocation.
43. In addition to place funding, individual learners also attract top-up funding to deliver to the specification in their Education, Health and Care Plans.

## **Risk Management Implications**

44. The report sets out the interim arrangements per setting pending the SEN Sufficiency review and ensures the Local Authority through commissioning activity and strategic planning secures suitable special educational needs and disabilities (SEND) provision in line with their statutory responsibilities.

*Implications verified by: Ray Chitty, Head of Insurance, 07739315565*

## **Climate and Ecological Emergency Implications**

45. Schools are a key partner for supporting H&F's climate agenda alongside partner organisations; continuing to raise awareness and understanding of the climate and ecological emergency, and the steps that people can take. The H&F Education Service and Climate Emergency Unit will shortly begin work to co-produce a H&F schools decarbonisation plan with our school community.

*Implications verified by: Hinesh Mehta Strategic Lead – Climate Emergency  
07960 470125*

## **Consultation**

46. Hammersmith & Fulham have the role of sub-regional commissioner for special school and resource base provision located within the borough. As the Commissioner H&F must consult with its regional partner authorities to set the number of places to meet the needs in the local area.
47. In recent years, neighbouring authorities (Kensington and Chelsea, Westminster, Brent, Ealing, and Hounslow) have placed significant numbers of learners in H&F Special Schools, and this is likely to continue in the future. Consultation with each of these placing authorities will take place on a termly

basis and include analysis of relevant parts of their Pupil Place Planning data and their forecasts for placements.

48. Officers will work to establish a shared regional approach for high needs placement planning via the Commissioning Alliance and London Strategic Managers Forum.

## **LIST OF APPENDICES**

Appendix A – 2020/23 Place Commissioning Requirements

## LONDON BOROUGH OF HAMMERSMITH & FULHAM

### Appendix A – 2022/23 Financial Year Place Commissioning Requirements

School	2022/23 Commissioned places	Place Commissioning rate £	Total £
Miles Coverdale	20	6,000	120,000
Woodlane	100	10,000	1,000,000
Cambridge	117	10,000	1,170,000
Jack Tizard	70	10,000	700,000
The Bridge (Resourced Provision)	5	10,000	50,000
The Courtyard (Resourced Provision)	6	10,000	60,000
<b>Total</b>	<b><u>318</u></b>		<b><u>3,100,000</u></b>