

## **Report of the Strategic Director, Children's Services to the meeting of Executive Committee to be held on 4th February 2020**

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**Subject:**

**AV**

Ensuring the Sufficiency of Specialist places for Children and Young People with Special Educational Needs and Disabilities (SEND) across the District

**Summary statement:**

This report asks the Council Executive to:

Approve the proposals outlined in this report to deliver:

- 80 additional maintained special school places at Beechcliffe School, delivered on a split site (Ellar Carr site)
- 12 new Resourced Provision places at Fagley Primary School
- The re-distribution of 10 Early Years Enhanced Specialist Provision places from Abbey Green Nursery School to Midland Road Nursery School

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**Overview & Scrutiny Area:**  
**Children and Families**

## 1. SUMMARY

1.1 This report asks the Council Executive to approve the following proposals:

- 80 additional maintained secondary special school places at Beechcliffe Special School, to operate on a split site (Ellar Carr site) to deliver specialist places for children and young people with Social Emotional and Mental Health needs (SEMH)
- Develop a new 12 place Local Authority Led - Resourced Provision (RP-LA) for primary aged children with Communication and Interaction needs including Autistic Spectrum Disorders (ASD) at Fagley Primary School
- Reduce the current number of Early Years Enhanced Specialist Provision places at Abbey Green Nursery School from 20 Part time places to 10 part time places
- Redistribute 10 part time Early Years Enhanced Specialist Provision places from Abbey Green Nursery School to Midland Road Nursery School

## 2. BACKGROUND

2.1 Bradford Metropolitan District Council has a statutory duty under The Education Act 1996 Section 14(1) to ensure that it provides sufficient school places for all pupils who are resident within Bradford.

2.2 There are specific duties to ensure that there is sufficient specialist provision for pupils with SEND where an Education Health and Care (EHC) plan has determined that their needs should be met in specialist provision.

2.3 Bradford District has experienced a significant increase in demand for Special Educational Needs and Disabilities (SEND) provision in the last 10 years.

2.4 In 2018 the Council Executive approved a number of proposals to increase and create additional specialist provision across the district. The Regional Schools Commissioner also approved via the Headteacher Board a number of proposals relating to academy schools across Bradford. This led to a total increase of 360 additional specialist places, across the LA maintained and Academy sector.

2.5 It is projected that the demand for SEND provision will continue to grow across all sectors in the Bradford District. It was outlined to the Schools Forum in January 2019 the LAs need to commission an additional 354 places. This was presented as part of the draft outline plan.

2.6 **Rationale**

2.7 **The Expansion of Beechcliffe Special School and the Closure of Ellar Carr Pupil Referral Unit (PRU):** Over time more children and young people with an

Education and Health Care Plan have been placed within the PRU, due to insufficient specialist places across the district. This has led to the PRU operating more like a special school for children and young people with Social Emotional and Mental Health (SEMH) needs.

- 2.8 In 2018 the Schools Forum requested that officers explore the viability of the re-designation of Ellar Carr PRU as a special school. However due to the current legislation around opening new schools, this would have to be via the Free School presumption route.
- 2.9 The proposal is close Ellar Carr Pupil Referral Unit and to develop a split site of Beechcliffe Special School on the site. This will deliver much needed additional places for secondary aged Children and Young people with Social, Emotional and Mental Health Needs (SEMH). This proposal will provide an additional 80 special school places and enable children and young people who are currently being educated at Ellar Carr PRU to be educated in a special school setting.
- 2.10 There will be very little impact to the children and young people currently accessing the PRU when Ellar Carr closes as the majority already have an Education and Health Care Plan for Social Emotional and Mental Health.
- 2.11 The current workforce at Ellar Carr, are all employees of Bradford Council. As Beechcliffe Special School is an LA maintained school, therefore the current workforce will remain employees of Bradford Council.
- 2.12 **The development of a new 12 place Local Authority Led - Resourced Provision (RP-LA) at Fagley Primary School:** Developing a 12 place Resourced Provision at Fagley Primary School There is currently no specialist provision for Primary aged children with Communication and Interaction needs including Autistic Spectrum Disorders (ASD) in the East Constituency. This proposal will establish 12 new Primary places at Fagley Primary School. The new provision will operate out of the newly configured Children's Centre accommodation, located on the main school site. Children's Centre Services will also continue to operate on the site.
- 2.13 **The reduction of 10 EYESP places at Abbey Green Nursery School and the redistribution of 10 new places at Midland Road Nursery School:** Since the opening of the 20 place Early Years Enhanced Specialist Provision (EYESP) for children aged 2 – 5 years with a range of special educational needs and disabilities at Abbey Green Nursery School, the setting has run with an under occupancy.
- 2.14 Abbey Green Nursery School is part of a federation with Midland Road Nursery School and Strong Close Nursery School who have an Executive Head who oversees all the provisions. It has been identified that it would be beneficial to the children and families in the area, if both Abbey Green and Midland Road Nursery Schools delivered EYESP places.

### **3. OTHER CONSIDERATIONS**

- 3.1 Statutory Responsibilities – The Local Authority has a statutory responsibility to keep under review the specialist provision it makes for children and young people

with special educational needs and disabilities (SEND). It has been identified that there is an urgent need for additional specialist places across all sectors within the District.

- 3.2 Out of Authority placements – The number of children and young people being placed outside of Bradford is increasing as we do not currently have sufficient provision to meet need. Investment in district placements would ultimately save funding expensive out of district placements.
- 3.3 The proposed establishment of a provision that is recognised by the Local Authority as reserved for children with SEND at a maintained school requires the Local Authority to publish formal Statutory Notices.
- 3.4 **Consultation**
- 3.5 Having regard to DfE Guidance pre publication consultation was carried out with interested parties before the publication of statutory notices.
- 3.6 In line with Regulations, a Pre- Consultation was undertaken between: 5<sup>th</sup> November to 18<sup>th</sup> November 2019 with an on-line survey and public meetings.
- 3.7 The Statutory Consultation on the above proposals was carried out between: 28<sup>th</sup> November 2019 to 9<sup>th</sup> January 2020. This was over an extended period to take into account the Christmas holiday period. The consultation information can be found on the Council Website under Consultation and Engagement pages.
- 3.8 The list of all those consulted with, is shown in Appendix 1.
- 3.9 Details of the consultations were placed on the Councils Website, Bradford Schools Online, Local Offer website and individual school websites.
- 3.10 In total 173 responses were received. See Appendix 2 for a full analysis of the consultation.

#### 4. **FINANCIAL & RESOURCE APPRAISAL**

- 4.1 **Capital Costs:** The Local Authority has identified £2.6 million pounds from the Basic Needs Allocation to pay for the additional accommodation/modifications that are required to deliver the outlined proposals within this report. The Local Authority will also use the latest SEND Capital allocation from central government.
- 4.2 **Revenue Costs:** The revenue funding for all of the additional places is included in the High Needs Block (HNB) allocation determined by the Schools Forum.
- 4.3 All of the proposed additional special school places will be funded in accordance with the local determined funding formula for special educational needs pupils. Core funding will be delegated to the schools for an agreed number of places. Additional funding will be paid in accordance with individual pupil needs. The revenue funding for all of the additional places is included in the High Needs Block (HNB) allocation determined by the Schools Forum.

- 4.4 The proposed new resourced provision places will be funded in accordance with the local determined funding formula for special educational needs pupils. Element 1 of the place funding will be delegated to the schools for an agreed number of places. Element 2 & Element 3 (additional funding will be paid in accordance with individual pupil needs – 7 range funding model) will be retained by the central service to pay for the staffing/resources in the proposed provisions. The Local Authority will maintain a service level agreement with each of the schools who host the proposed new resourced provisions.
- 4.5 The number of children and young people being placed outside of Bradford is increasing as we do not currently have sufficient provision to meet need. Investment in district placements will ultimately save funding expensive out of district placements.
- 4.6 The creation of additional SEMH places in Bradford will negate the need to place children and young people in very expensive out of authority provisions in the Independent sector and allow them to be educated at a local level, avoiding separation from their families and local communities.
- 4.7 The increase in specialist places will have a financial impact on the home to school transport budget, however this will be minimal in comparison to the significant projected costs of educating children and young people out of authority and the longer term impacts that are associated with moving children away from their families. Therefore the creation of more specialist provision within the District will reduce the reliance and avoid costs associated with high cost out of District independent provision, and mitigate against longer term negative outcomes.

## **5. RISK MANAGEMENT AND GOVERNANCE ISSUES**

- 5.1 Statutory Responsibilities – The Local Authority has a statutory responsibility to keep under review the specialist provision it makes for children and young people with special educational needs and disabilities (SEND). It has been identified that there is an urgent need for additional specialist places across all sectors within the District.
- 5.2 Individual risks associated with the development/expansion programmes are managed as part of the overall project to deliver the sufficiency of specialist places across the District.
- 5.3 There is also a reporting mechanism to the Council Change Programme Board, the School Organisation Board, the SEND Strategic Partnership Board and the Schools Forum on the various strands of the projects including time scales, Capital and Revenue funding constraints, Issues and Risks.

## **6. LEGAL APPRAISAL**

- 6.1 Where a local authority proposes to increase places or make changes to maintained special schools, all interested parties who are likely to be affected by the proposals should be consulted in the development of the proposals.

- 6.2 There is no longer a requirement for a statutory pre-publication consultation period but there is a strong expectation that interested parties who are likely to be affected by the Local Authority's proposals will be consulted prior to publication of statutory notices. This is set out in DfE statutory guidance - Making significant changes (prescribed alterations) to maintained schools.
- 6.3 It is important that the proposals are the subject of broad consultation with all interested parties to ensure that their views are considered and that they are fully informed and involved before a final recommendation is made in this case to publish statutory notices.
- 6.4 Where a local authority proposes to increase the number of pupils at a special school maintained by them by 10% or 20 pupils whichever is the lesser or to establish provision that is recognised by the local authority as reserved for children with SEN at a maintained school it must follow a statutory process which includes publishing formal statutory notices.
- 6.5 This statutory consultation period is called the Representation Period and lasts for 4 weeks from the date of publication of the statutory notice in a local newspaper. Notices were published in the Telegraph and Argus (T&A) on 28 November 2019 and in the T & A and Keighley News in relation to Beechcliffe School on 5 December 2019 the Representation period ended on 9th January 2020 after the Christmas holiday period.
- 6.6 Any objections or comments received as a result of the consultation during the Representation Period must be considered by the Local Authority before deciding whether to implement the proposals. The Local Authority should consider the representation results fully and in conjunction with an Equality Impact Assessment and SEN Improvement Test.
- 6.7 The Local Authority must have regard to its public sector equality duties under section 149 of the Equality Act 2010 when exercising its functions and making any decisions. The Local Authority must carry out an Equalities Impact Assessment to enable intelligent consideration of the proposals and must have due regard to the information in the Equalities Impact Assessment when considering any decision to approve the proposals.
- 6.8 The SEND Code of Practice January 2015 provides that when considering any reorganisation of special educational needs provision that the Local Authority must also make it clear how it is satisfied that the proposed alternative arrangements are likely to lead to improvements in the standard, quality and/or range of educational provision for SEN. This is the SEN Improvement Test.
- 6.9 The School Organisation ( Prescribed Alteration to Maintained Schools) (England) Regulations 2013 requires that the Local Authority is the decision maker for proposals related to maintained schools and must take the decision within two months of the end of the Representation Period i.e. before 9 March 2020 otherwise the proposals must be referred to the School Adjudicator.

## **7. OTHER IMPLICATIONS**

**Evidence of Need:** The Bradford District has experienced a significant increase in demand for SEND provision in the last 10 years. It is projected that the demand for SEND provision will continue to grow and additional specialist places for primary and secondary aged children and young people in the Bradford District will be required.

The Bradford Joint Strategic Needs Assessment (JSNA) is updated on an annual basis. This identifies considerable higher prevalence of some child disability and/or complex needs in Bradford compared to the national average.

All available data shows that there will be an on-going need to provide specialist provision for children and young people with a range of special educational needs and disabilities throughout the Bradford District.

In monitoring these trends, data and information, it has confirmed that further specialist provision is required to meet the needs of its current and future population. All Local Authorities have a statutory duty to keep under review the provision they make for pupils with special educational needs and disabilities (SEND). This must be based on the regular review of current and future trends (pupil profiles).

The Bradford District Education Organisation Plan takes into account different factors when predicting school demand including fertility and birth rates, housing growth and inward/outward migration. Analysis of the Index of Deprivation and population estimates from the Office for National Statistics are also taken into account.

In January 2005 the population in the Districts Schools and Nurseries was 79,589. In January 2015 the population was 90,292 and the current population in January 2019 had risen to 100,778.

There have been a number of influencing factors in relation to the demand for specialist places in the Bradford District:

- Improvements in medical interventions which has significantly increased life expectancy for those children with life limiting conditions
- The overall increase in the pupil population since 2005
- A significant increase in the number of referrals received for statutory assessment
- Requests for statutory assessment have increased from 265 in 2015/16 to 842 in 2018/19. Approximately 20% of these requests resulted in a change of provision
- An increase in the number of in-year admissions to special schools and the number of children and young people requiring a change in provision to special school. For place projection purposes it is anticipated that this number will continue at similar levels for the next three years.

- The capacity of our schools to meet the needs of children and young people with special educational needs and disabilities alongside balancing the needs of all children and the pressure to improve standards and outcomes
- Parental preference for specialist provision needs

When analysing current primary needs of children with an EHCP, the top 5 needs in Bradford are as follows:

1. Autistic Spectrum Disorder (ASD)
2. Social, Emotional and Mental Health Needs (SEMH)
3. Severe Learning Difficulty (SLD)
4. Speech Language and Communication Needs (SLCN)
5. Physical Difficulties (PD)

Autistic Spectrum Disorder remains the most common type of primary need both nationally and in Bradford. Nationally ASD is showing a 1% increase from 28% to 29% of pupils presenting with this need.

In Bradford we have seen an increase of 8.8% from 2018 to 2019 for children and young people with ASD who have an EHCP.

In the same time period we saw an increase of 27.8% for children and young people with SEN support.

Social, Emotional and Mental Health Needs (SEMH) is the second largest percentage of primary need in Bradford.

Currently 29% of SEMH primary needs are in the primary school sector, with 71% in the secondary sector.

The data identifies there is a significant gap in provision for children and young people with ASD and SEMH.

## **7.1 EQUALITY & DIVERSITY**

The Local Authority must not discriminate directly or indirectly against any group or individual. The schools and any proposed new provision will continue to cater for the needs of all children and serve its community.

An Equalities Impact Assessment has been carried out and can be seen Appendix 4.

## **7.2 SUSTAINABILITY IMPLICATIONS**

There are no direct sustainability implications arising from this report. Any development or changes to buildings undertaken as a result of these proposals will be undertaken in a sustainable way which minimises the future impact of the Local Authority's carbon footprint.

## **7.3 GREENHOUSE GAS EMISSIONS IMPACTS**

The proposals will not impact on gas emissions. If children are able to attend their local provision this could lead to a reduction in emissions.

#### **7.4 COMMUNITY SAFETY IMPLICATIONS**

These arrangements will allow the children and young people to build their skills in a specialist environment and access their own community in the safest and most independent fashion.

#### **7.5 HUMAN RIGHTS ACT**

The Human Rights Act incorporates the European Convention on Human Rights which provides that no person shall be denied the right to education...

#### **7.6 TRADE UNION**

As part of the consultation process the Trade Unions will be consulted formally about these proposals in accordance with the Council's IR Framework.

#### **7.7 WARD IMPLICATIONS**

Ward Councillors have been briefed about the proposed changes to the schools/provision in their wards

#### **7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS (for reports to Area Committees only)**

N/A.

#### **7.9 IMPLICATIONS FOR CORPORATE PARENTING**

No direct impact on corporate parenting, however the proposals to increase specialist provision across the District will provide a wider choice within their local communities, reducing need for out of District placements.

#### **7.10 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT**

Undertake a Privacy Impact Assessment to determine whether you need to deal with data protection and information security matters arising from the proposal/decision.

The City of Bradford Metropolitan District Council (the 'Council') is registered with the Information Commissioners Office (ICO). For more information about how the Council uses information, please refer to the general 'Privacy Notice' on the Council's website.

Children's Services will undertake a Privacy Impact Assessment to identify any data protection and information security matters arising from the proposals.

The legal basis for holding any data relating to buildings is contractual and may

relate to tenancy or other property type agreements. General Data Protection Regulation (GDPR) principles relating to individual's rights will be fully respected.

Any need for partner agencies to share data would only be with the express permission of the service users in the full knowledge of why and what it would be used for. General Data Protection Regulation (GDPR) principles relating to any individuals data and rights under the Data Protection Act 2018 will be respected.

## **8. NOT FOR PUBLICATION DOCUMENTS**

N/A.

## **9. OPTIONS**

We ask the council executive to consider the following options:

### **9.1 Beechcliffe Special School (Ellar Carr site)**

- (a) Approve the proposal to increase the number of places for pupils at Beechcliffe Special School to be delivered on a split site, by increasing the pupil numbers from 144 to 224 with effect from 24<sup>th</sup> February 2020 (subject to any necessary Capital building programme).
- (b) Reject the proposal to increase the number of places for pupils at Beechcliffe Special School.
- (c) Approve the published proposals subject to specified conditions.

### **9.2 Fagley Primary School**

- (d) Approve the proposal to develop a new 12 place Resourced Provision (RP-LA) for primary aged children with Communication and Interaction needs including Autistic Spectrum Disorders (ASD) at Fagley Primary School with effect from 24<sup>th</sup> February 2020 (subject to any necessary Capital building programme).
- (e) Reject the proposal to develop a Resourced Provision at Fagley Primary School.
- (f) Approve the published proposals subject to specified conditions.

### **9.3 Abbey Green Nursery School**

- (g) Approve the proposal to reduce the current number of EYESP places at Abbey Green Nursery School from 20 Part time places to 10 part time places with effect from 24<sup>th</sup> February 2020.
- (h) Reject the proposal to reduce the number of EYESP places for pupils at Abbey Green Nursery School.
- (i) Approve the published proposals subject to specified conditions.

### **9.4 Midland Road Nursery School**

- (j) Approve the proposal to develop a new 10 part time place EYESP at Midland Road Nursery School with effect from 24<sup>th</sup> February 2020.

- (k) Reject the proposal to develop a new 10 part time EYESP at Midland Road Nursery School.
- (l) Approve the published proposals subject to specified conditions.

## **10. RECOMMENDATIONS**

It is recommended that the Executive:

- 10.1 Approve the proposal to increase the number of places for pupils at Beechcliffe Special School to be delivered on a split site, by increasing the pupil numbers from 144 to 224.
- 10.2 Approve the proposal to develop a new 12 place Resourced Provision (RP-LA) for primary aged children with Communication and Interaction needs including Autistic Spectrum Disorders (ASD) at Fagley Primary School.
- 10.3 Approve the proposal to reduce the current number of Early Years Enhanced Specialist Provision (EYESP) places at Abbey Green Nursery School from 20 Part time places to 10 part time places.
- 10.4 Approve the proposal to develop a new 10 part time place EYESP at Midland Road Nursery School.

## **11. APPENDICES**

- 11.1 Appendix 1 - List of Consultees.
- 11.2 Appendix 2 - Outcome of Statutory Consultation/Analysis of responses.
- 11.3 Appendix 3 - SEN Improvement Test.
- 11.4 Appendix 4 - Equality Impact Assessment.
- 11.5 Appendix 5 – Beechcliffe Special School Statutory Proposal Document.
- 11.6 Appendix 6 – Fagley Primary School Statutory Proposal Document.
- 11.7 Appendix 7 – EYESP Statutory Proposal Document.

## **12. BACKGROUND DOCUMENTS**

- 12.1 Decisions of the Executive on Tuesday, 9th July 2019.
- 12.2 Report to the Interim Strategic Director of Children's Services, seeking approval to publish statutory notices.
- 12.3 School Forum Report January 2019 (Draft outline plan).
- 12.4 SEND Code of Practice 2014.

## 12.5 Joint Strategic Needs Assessment 2019.

## Appendix 1 List of consultees

The pre-consultation was held for each proposal between the periods of 5<sup>th</sup> November to 18<sup>th</sup> November 2019 with an on-line survey and public meetings. The Statutory Consultation took place between 28<sup>th</sup> November 2019 to 9<sup>th</sup> January 2020.

All consultation documents were share with interested parties in a variety of methods shown below:

<b>Ensuring the sufficiency of specialist places in Bradford’s Special Schools</b>	
<b>Group</b>	<b>Method</b>
Parents/Carers	School websites, Bradford Council website, Bradford Local Offer website and Bradford Schools Online. Attendance at Public Consultation Meetings and Schools Forum Documentation
All Bradford Schools, Headteachers and Governing Bodies	E-mail Bradford Council website, Bradford Local Offer website and Bradford Schools Online. Attendance at Public Consultation Meetings and Schools Forum Documentation
All Trade Union Representatives	E-mail and published online
Neighbouring Local Authorities, Director of Children’s Services	E-mail and published online
CE Diocese, RC Diocese, Council of Mosques	E-mail and published online
Youth Voice	E-mail and published online
Parish Councils, Neighbourhood Forums	E-mail and published online
Elected Members	E-mail and published online Briefing can be organised if requested
Members of Parliament	E-mail and published online
Bradford and Airedale Primary Care Trusts/Clinical Commissioning Groups	E-mail and published online
SENDIASS	E-mail and published online
Bradford and Airedale Parents Forum	E-mail and published online
Bradford Council Staff	E-mail, BSO and Bradnet Attendance at public consultation meetings
All other interested parties	E-mail and published online

**There were 3 public meetings arranged at the following times and venues:**

1. Monday 9th December 2019 9.30-10.30am – Room 104 Margaret McMillan Tower, Bradford, BD1 1NN
2. Wednesday 11th December 2019 5.30-6.30pm –Margaret McMillan Tower, Bradford, BD1 1NN
3. Thursday 19th December 1.00pm -2.00pm at Keighley Library Annexe – Spencer Street, Keighley, BD21 2BN

## Appendix 2 Outcomes of Statutory Consultations

The Statutory consultations took place between 28<sup>th</sup> November 2019 and the 9<sup>th</sup> January 2020 for Fagley Primary School, Abbey Green Nursery School and Midland Road Nursery School.

For Beechcliffe Special School and Ellar Carr Pupil Referral Unit this took place between 5<sup>th</sup> December 2019 and 9<sup>th</sup> January 2020.

There was limited attendance at the public meetings however there was a good online response of 173 between all the consultations.

The table below shows a summary of respondents to the consultation as a whole.

Provision	Parents	Members of staff	Others	Agree	Disagree
Abbey Green & Midland Road Nursery	118	29	2	147	2
Beechcliffe/ Ellar Carr	3	2	0	4	1
Fagley Primary School	0	14	5	19	0
<b>Totals</b>	<b>121</b>	<b>45</b>	<b>7</b>	<b>170</b>	<b>3</b>

### Detail of Responses

**1. Do you agree with the proposal to reduce the current number of EYESP at Abbey Green Nursery School Early Years Enhanced Specialist Places from 20 part time places to 10 part time places?**

Yes 98%

No 2%

Reasons for not supporting were stated as:

- Abbey Green has committed time, effort, training and use of finances to develop this provision

**2. Do you agree with the proposal to develop an EYESP at: Midland Road Nursery School to deliver 10 part time places?**

Yes 99%

No 1%

Reasons for not supporting were stated as:

- Geographically it would be beneficial if the specialist provision was distributed between all 7 schools within their community and have the associated support. Inclusion is important in all nursery schools and having a good balance of SEND provision ensures that the needs of individuals are met with 'role models' to support learning and language development.
- it will detract from the provision that Abbey Green offers

**3. Do you agree with the proposal to develop additional places at: Beechcliffe Special School on the Ellar Carr Site for Secondary aged children with Social**

**Emotional and Mental Health needs (SEMH). This will increase Beechcliffe's places from 144 to 224.**

Yes 80%

No 20%

Reasons for not supporting were stated as:

- My child has settled at his school for the past 3 years now
- In principle the merger seems fine; however the consultation does not provide details as to the number of children that are currently attending Ella Carr, which conform to the PRU criterion and those to SEND. Also the skills set at Ella Carr will be for PRU children thus not suitable for Special needs. Hence I do not think it would be an advisable move by the Council by locating both types of Children as it would affect the overall quality of provision. I for one would put my child to Ella Carr if there were PRU children being taught ( purely on the disparity between the needs of the children)

**4. Do you agree with the proposal to develop a: Local Authority Led - Resourced Provision (RP-LA) for 12 primary aged children with Communication and Interaction needs including Autistic Spectrum Disorders (ASD) at Fagley Primary School**

Yes- 100%

Reasons stated to support this proposal were:

- The places are very much needed as the children with SEND need alternative provision so that their individual needs can be met by specialist staff in the correct environment to support a calm and engaged curriculum. Although every need is made to be inclusive for children with SEND a separate provision is sometimes needed.
- Within the district, the provision for children with a requirement for specialist places is woefully inadequate and is preventing children from being able to adequate progress, seriously impacting on their future prospects.
- Attempting to meet these children's needs within mainstream provision amidst a background of ever deeper cuts to budgets is placing an unbearable strain on children, parents and staff.
- It will be welcomed wholeheartedly by both families and schools to support children in east Bradford with special needs
- A vital development that needs to occur to ensure that all young people have a fair chance of a good quality of life.
- I think this is fantastic.
- Fully support the move as long as no teaching is compromised across the board
- I am pleased to see that action is being taken to address the need for specialist provision

## **Appendix 3: SEN Improvement Test**

### **Sufficiency of Specialist places for Children and Young People with Special Educational Needs & Disabilities across our District**

This document demonstrates how the proposals to improve our offer of Specialist Provision meet the requirements of the 'SEN Improvement Test.

#### **Background Information**

The Local Authority and Academies currently offer a range of educational provision across the Bradford District including; Mainstream schools and Academies, Special schools, Additionally Resourced Centres (ARC's), Resourced Provision (RP) and Early Years Enhanced Specialist Provision (EYESP)

These proposals will create additional specialist places across the maintained school sector and mainstream special schools which form part of:

- A flexible and responsive offer of provision across the district

The expansion of Special Schools, EYESP's and new Resourced Provisions is based on the following principles:

- There is an urgent need for more specialist places in Bradford due to the increase in population.
- All children are to be valued equally, regardless of their ability, behaviour, family circumstances, ethnic origin, gender and sexual orientation.
- All children are to be provided with the best learning opportunities, environment and experience which maximises their learning.
- All children are entitled to a broad, balanced and relevant curriculum which is differentiated to meet individual needs.
- Children's diverse special educational needs and disabilities require a range of flexible and varied provision.

#### **The SEN Improvement Test**

When proposing to make changes to existing SEND Provision, proposers have to meet the SEN Improvement Test and be able to demonstrate that the proposed arrangements are likely to lead to improvement in the standard, quality and/or range of educational provision for children with Special Educational Needs and Disabilities.

#### **The required improvements of the test are as follows:**

- Improved access to education and associated services including the curriculum, wider school activities, facilities and equipment with reference to the Local Authority's Accessibility Strategy.
- Improved access to specialist staff, both education and other professionals, including external support and outreach services.
- Improved access to suitable accommodation.
- Improved supply of suitable places.
- Confirmation from the schools that they are willing to receive additional pupils with a range of Special Educational Needs.
- Confirmation of specific transport arrangements.
- Confirmation of how the proposals will be funded and the planning for staffing arrangements that will be put in place.

## **Confirmation of the requirements:**

- **Improved access to education and associated services including the curriculum, wider school activities, facilities and equipment with reference to the Local Authority's Accessibility Strategy**

Bradford Council will continue to meet the requirements of the Government's inclusion agenda. It will ensure a flexible continuum of provision for pupils with a range of special educational needs and disabilities, according to the needs of individual children and young people. It will also take into account the provision specified in the child's Education Health and Care Plan (EHCP) and the wishes of the parent/carer.

Leadership and management will be provided by the Schools and Academies along with the Council (centrally retained model), who will ensure that all resources are used efficiently and effectively in supporting children and young people with a range of special educational needs and disabilities. Partnership working with the District Achievement Partnership (DAP), RP-SL and SENDCO Networks, will ensure the development of a cohesive, district wide approach to training needs across the district and improve capacity.

The Resourced Provision Local Authority led will be delivered in a Maintained Primary School. Pupils will be on the roll of the school. There will be a focus on maximising inclusion with other pupils in the school, but the development of a cohort of pupils with a range of special educational needs and disabilities will ensure that pupils have access to a specific curriculum with their peers and appropriate to meet their needs.

The re-distribution of 10 part time EYESP places from Abbey Green Nursery School is to meet an emerging demand within the Midland Road Nursery School. It has been identified that it would be beneficial to the children and parents in the Midland Road area, if both Nursery Schools delivered EYESP places.

The schools will offer individual timetables for pupils to learn specific skills and there will be regular opportunities to take part in learning outside classroom activities, specifically adapted for the pupils. The accommodation will be staffed by fully trained and qualified teaching staff and teaching assistants with access to specialist support such as speech and language therapy where required.

These proposals will therefore lead to improved access to education and associated services, including the curriculum and wider school activities while providing improved facilities and equipment.

- **Improved access to specialist staff, both education and other professionals, including external support and outreach services**

Within the settings, the children and young people will enjoy the continued support of the full range of training and qualified specialist staff. They will also have access to trained teaching assistants and health and therapy service providers, where necessary to meet individual needs. Improved information routes and advice and support will be provided by the District Achievement Partnership (DAP), RP-SL /SENDCO network meetings and schools will enable improved partnership working with professionals from other provisions.

The children will be able to access the curriculum according to their needs and

abilities where they will be taught by qualified teachers and trained support staff. The staff will work in close co-operation and collaboration. Through economies of scale, the setting will also enable the pupils' easier access to a wide range of professionals within one setting.

The proposals will therefore ensure that children and young people with a range of special educational needs will continue to have high-quality support from the full range of trained specialist staff. Their access to fully qualified and experienced teachers, teaching assistants and other professionals will be improved. Their opportunities will be further enhanced as the specialist staff will work more closely together, supporting each other and having access to targeted services.

- **Improved access to suitable accommodation**

The specialist accommodation for pupils with a range of special educational needs and disabilities, located at the various schools, will improve access to specialist accommodation and be fully fit for purpose, to ensure the needs of children and young people are met.

- **Improved supply of suitable places**

Bradford has a strategic commitment to the development of a range of specialist provision. The purpose of these proposals is to move forward on delivering that commitment. Children and young people with a range of special educational needs and disabilities, with Education Health and Care Plans (EHCP's)/Statement of special educational need's, will have access to a range of specialist educational offers, including, local mainstream schools, mainstream school/s with access to specialist support, resourced provision and specialist designated provision with access to mainstream as appropriate and special schools, including academies. These proposals increase current provision by providing additional Special School places, new resourced provisions and a redistribution of EYESP places across the district's maintained and academy schools.

At Beechcliffe Special School and the proposed split site - Ellar Carr, the children and young people will enjoy the continued support of the full range of training and qualified specialist staff. They will also have access to trained teaching assistants and health and therapy service providers, where necessary to meet individual needs.

These proposals will create a district wide structure of specialist provision that potentially reduces the need for pupils to travel long distances across the city, will provide a distribution of specialist provision for additional learning needs, will enable pupils to access a differentiated curriculum maximising the opportunities for inclusion, maintain a support network and target multi agency support.

- **Confirmation from the school that they are willing to receive additional pupils with a range of special educational needs**

The development of the LA Maintained school proposals has been undertaken in consultation and partnership with all interested parties including Headteachers, Governing Bodies of the schools

All school staff involved have had the chance to shape the proposals by way of participation in the pre-consultation and Statutory consultation phases.

- **Confirmation of specific transport arrangements**

The current Local Authority Transport Policy for Special Educational Needs and disabilities will apply to all children and young people as it does currently.

- **Confirmation of how the proposals will be funded and the planning for staffing arrangements put in place**

All of the provisions will continue to be funded via the Place Plus Model, in accordance with the local determined funding formula for special educational needs pupils from the Dedicated Schools Grant (DSG).

The mainstream schools hosting an EYESP and Beechcliffe School will be responsible for the appointment of suitably qualified staff to meet the individual needs of children and young people placed on-roll at their school.

Funding of the proposed resourced provision Local Authority led (RP-LA) places will be funded in accordance with the local determined funding formula for special educational needs pupils.

- Element 1 of the place funding will be delegated to the schools for an agreed number of places.
- Element 2 & element 3 (additional funding will be paid in accordance with individual pupil needs – 7 range funding model) will be retained by the central service to pay for the staffing/resources in the proposed provisions.
- The Local Authority will maintain a service level agreement with each of the schools who host the proposed new resourced provisions.

The mainstream schools hosting a RP-LA will not be responsible for the appointment of suitably qualified staff, as this will be the responsibility of the council central service.

The children and young people placed in the Special School, RPs & EYESP's will be on roll of the host schools.

### **Glossary**

RP-SL = Resourced Provision school led

RP-LA = Resourced Provision Local Authority led

EYESP= Early Years Enhanced Specialist Provision

## Appendix 4 Equality Impact Assessment Form

<b>Department</b>	Children' s Services Education and Learning	<b>Version no</b>	V1.0
<b>Assessed by</b>	Diane Cochrane	<b>Date created</b>	01/05/2019
<b>Approved by</b>	Emma Hamer	<b>Date approved</b>	09/01/2020
<b>Updated by</b>	Diane Cochrane	<b>Date updated</b>	09/01/2020
<b>Final approval</b>	Marium Haque	<b>Date signed off</b>	10/01/2020

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The Equality Act 2010 requires the Council to have due regard to the need to

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity between different groups; and
- foster good relations between different groups

### Section 1: What is being assessed?

#### 1.1 Name of proposal to be assessed.

Increasing Specialist Provision for children and young people with special educational needs and disabilities (SEND) by:

- Increasing the number of special school places available
- Developing and Increasing specialist places in Resourced Provision (Local Authority Led) in maintained schools and academies for children and young people with a range of SEND
- Redistributing Early Years Enhanced Specialist Provision (EYESP) to meet parental demand

#### 1.2 Describe the proposal under assessment and what change it would result in if implemented.

Developing specialist resourced provision places in mainstream school for children and young people with a range of SEND and the redistribution of EYESP places.

- 80 additional maintained special school places at Beechcliffe School, delivered on a split site
- 12 new Resourced Provision places at Fagley Primary School
- Re-distribute 10 EYESP places from Abbey Green Nursery School to Midland Road Nursery School

## Section 2: What the impact of the proposal is likely to be?

### 2.1 Will this proposal advance equality of opportunity for people who share a protected characteristic and/or foster good relations between people who share a protected characteristic and those that do not? If yes, please explain further.

These proposals will expand and develop further specialist provision to enhance the network of Special Schools, RPs, ARCs and Nursery Schools (EYESPs) which form part of:

- A coherent geographical spread of provision across the District
- A dynamic network
- A Flexible and responsive provision

These proposals are intended to advance the equality of opportunity and a range of improved outcomes for children and young people with a full range of Special Educational Needs and Disabilities (SEND) by creating additional specialist places:

The proposals will lead to additional places across the early years, primary and secondary sector.

- 80 Special school places
- 12 Resourced Provision places
- And an additional Nursery school being able to offer x10 part-time EYESP places

The development of additional specialist places is based on the following principles:

- All children to be valued equally, regardless of their ability, behaviour, family circumstances, ethnic origin, gender and sexual orientation
- All children are to be provided with the best learning opportunities, environment and experience which maximises inclusion into mainstream classes where appropriate
- All children are entitled to a broad, balanced and relevant curriculum which is differentiated to meet individual needs
- Children's diverse special educational needs require a range of flexible and varied provision
- All children are to be valued equally, regardless of their ability, behaviour, family circumstances, ethnic origin, gender and sexual orientation
- All children are to be provided with the best learning opportunities, environment and experience which maximises their learning
- All children are entitled to a broad, balanced and relevant curriculum which is differentiated to meet individual needs
- Children's diverse special educational needs and disabilities require a range of flexible and varied provision

### 2.2 Will this proposal have a positive impact and help to eliminate discrimination and harassment against, or the victimisation of people who share a protected characteristic? If yes, please explain further.

**Yes** – by providing and expanding additional specialist places for children and young people with SEND alongside their mainstream peers where appropriate, this will help to eliminate discrimination and harassment by fostering a greater understanding of each other's needs, and through early identification, assessment and intervention using specialists and high quality practitioners improve outcomes for all children with SEND.

**2.3 Will this proposal potentially have a negative or disproportionate impact on people who share a protected characteristic? If yes, please explain further.**

**No** - The equality impact assessment indicates that these proposals are likely to have no impact and that there is no disproportionate impact on any group who share protected characteristics. Children and Young People with SEND, including social emotional and mental health needs (SEMH) will be predominantly affected by these proposals. However the focus of the proposals will be on providing additional specialist places for children and young people with SEND, therefore any impact on protected characteristics will be minimal.

**2.4 Please indicate the level of negative impact on each of the protected characteristics?**

(Please indicate high (H), medium (M), low (L), no effect (N) for each)

<b>Protected Characteristics:</b>	<b>Impact (H, M, L, N)</b>
Age	N
Disability	N
Gender reassignment	N
Race	N
Religion/Belief	N
Pregnancy and maternity	N
Sexual Orientation	N
Sex	N
Marriage and civil partnership	N
<b>Additional Consideration:</b>	
Low income/low wage	N

**2.5 How could the disproportionate negative impacts be mitigated or eliminated?**

(Note: Legislation and best practice require mitigations to be considered, but need only be put in place if it is possible.)

The Local Authority and strategic partners have made significant efforts to mitigate against any negative impacts and will continue to promote the move to a school-led system; whilst continuing to use High Needs Block funding to intervene early and use it effectively to improve outcomes for Children and Young people with SEND.

Council officers continue to play an important role to support the changes. In order to manage any negative effects, the proposals will be implemented using a phased approach, so any risks can be identified.

We are carrying out extensive consultation with all interested parties, to ensure we capture all the identifiable risks.

We will further review the potential impact on protected characteristics as part of the development of the delivery programme.

## **Section 3: Dependencies from other proposals**

### **3.1 Please consider which other services would need to know about your proposal and the impacts you have identified. Identify below which services you have consulted, and any consequent additional equality impacts that have been identified.**

There has been considerable analysis undertaken to identify the need for increasing and developing specialist provision places for children and young people across the district. We have assessed the optimal location of the proposed provisions. Part of this work has been considering the need and also the availability of suitable accommodation, alongside schools with falling numbers and within Capital constraints.

A two week pre-consultation was undertaken on the specific proposals 5<sup>th</sup>- 18<sup>th</sup> November 2019. After analysis of the pre-consultation feedback a further 6 week consultation took place about the specific proposals between: 28<sup>th</sup> November 2019- 9<sup>th</sup> January 2020.

Analysis of all of the consultation responses received and information gathered from the public meetings, clearly supports the LA's position in the creation of additional specialist places, especially for children and young people with ASD or SEMH needs.

We have consulted with all interested parties, please see below:

- Parents/Carers
- School staff and Governors
- Bradford and Airedale Parents Forum
- Bradford and Airedale NHS Trusts/CCG's
- Elected members
- Local MPs
- Trade Unions
- Neighbouring Authorities
- SENDIASS - Barnado's
- Parish & Mosque Councils
- Muslim Association
- CoE and Catholic Diocese for Bradford/Leeds
- Relevant charities and voluntary organisations
- Any other interested parties

The additional SEND places have been agreed by the School's Forum and will be funded from the High Needs Block.

## **Section 4: What evidence you have used?**

### **4.1 What evidence do you hold to back up this assessment?**

The proposals have all been informed by the extensive evidence and analysis from a range of sources:

- Bradford SEND Strategic Review 2016-2020
- Bradford SEND Needs Assessment 2015 (in depth report) and updated Joint Strategic Needs Assessment (JSNA) SEND chapter (2019) and related documents
- Reviewed SEND Sufficiency Assessment Sept 2019
- Strategic aims and objectives set out in related strategies and plans and initiatives including the Education and School Improvement plan
- The Children and Families Act 2014 and the SEND 0-25 Code of Practice 2014
- Bradford District Education Organisational Plan
- Analysis of the number of children and young people going out of authority
- The commissioning of 360 additional places by Schools Forum
- The commissioning of 354 additional specialist places by the Schools Forum January 2019.
- Consultations from March, June and November 2019

Extensive evidence and data has been used including identifying the incidence of SEND across the district; by type, the number of referrals received, the type of referrals, the age of the children and young people, the type of special educational needs and disabilities, and the number and geographical spread of Education and Health Care Plan assessments.

To note:

- We have a growing population of children and young people in Bradford and proportionally have a growing population of children and young people with SEND;
- There is an urgent need for more specialist places in Bradford due to the increase in population
- The complexity of special needs in Bradford is increasing - as a result there is a need for more specialist places.
- Bradford has a growing need for more specialist places to meet need and demand
- We are working in a challenging and changing landscape both financially and educationally.

These proposals will continue to make a range of specialist provision available across the District to ensure the needs of all children and young people in Bradford can be met.

### **4.2 Do you need further evidence?**

Before the Local Authority can increase provision in maintained schools, there is a statutory process that we must follow. Whenever the Local Authority proposes to increase places or make changes to specialist provision, all interested parties who are likely to be affected by the Councils proposals must be consulted in the development of the proposals prior to publication of statutory notices.

A further report will be presented to Director of Children's Services following the publication of Statutory Notices and the consultation responses received from this period will be fully analysed.

## **Section 5: Consultation Feedback**

### **5.1 Results from any previous consultations prior to the proposal development.**

**Principles:**

Children and Young People with a range of Special Educational Needs and Disabilities will continue to be well served in Bradford. The council is looking at the best way to offer a full range of provision locally for all children. We believe that a flexible district wide model will be able to respond effectively to local changes in demand.

The proposed changes will ensure the continued delivery of high quality and cost effective provision for the Children and Young People of Bradford.

The Council intend to have a District wide structure of Specialist Places across a number of settings that will:

- Provide local specialist places, reducing the need for pupils to travel long distances across the District
- Provide an equitable distribution of specialist places for children and young people with special educational needs and disabilities
- Provide increased access to the curriculum; both social and academic will be increased due to the staffing experience and capacity of the provisions. It will be possible to individually differentiate and support the work and potential of each individual pupil
- Provide an increased level of available support to all pupils and will give the greatest opportunity to increase inclusion
- Provide an improved support network, especially related to training that will support and develop the proposals
- Extend and target multi-agency support into the specialist provisions, especially from the health authority and more specifically speech and language therapy
- Provide a progression pathway from Primary phase to Secondary phase

**Consultations**

A two week pre-consultation was undertaken for the specific developments from the 5<sup>th</sup>-18<sup>th</sup> November.

A 6 week consultation period commenced on the 28<sup>th</sup> November until the 9<sup>th</sup> January 2020 (this was an additional 2 weeks to allow for the holiday period) which received 173 responses.

The overwhelming majority were in favour of all the developments See Appendix 2 for full analysis.

**5.2 The departmental feedback you provided on the previous consultation (as at 5.1).**

Headteachers and school staff recognise the urgent need for more specialist places and the Schools Forum has agreed to fund the additional 354 places from the High Needs block.

**5.3 Feedback from current consultation following the proposal development (e.g. following approval by Executive for budget consultation).**

As a result of the initial and statutory consultation processes any changes required to the proposals will result in an updated EIA being produced if necessary.

**5.4 Your departmental response to the feedback on the current consultation (as at 5.3) – include any changes made to the proposal as a result of the feedback.**

Feedback from all interested parties will be used to refine the proposals. However, in general the

feedback received to date has been very supportive of the proposals to increase and develop additional specialist places for children and young people with SEND.

We are committed to on-going dialogue with all interested parties on the delivery of the proposals.

## **Appendix 5 Statutory proposal for a prescribed alteration**

**PROPOSALS TO: INCREASE THE NUMBER OF PLACES FOR PUPILS AT BEECHCLIFFE SPECIAL SCHOOL KEIGHLEY. THIS WILL INCLUDE AN EXPANSION OF THE TYPE OF SEN PROVISION AND THE EXPANSION OF THE SCHOOL ONTO AN ADDITIONAL SITE AT ELLAR CARR, PUPIL REFERRAL UNIT, BRADFORD**

### **School and Local Authority details:**

**School:** Beechcliffe School Greenhead Lane Keighley BD20 6ED

This is a maintained secondary special school.

**Local Authority:** City of Bradford Metropolitan District Council, City Hall, Bradford BD1 1HY

### **Description of alteration:**

This proposal is to increase the number of pupils on the roll of Beechcliffe School from 144 places to 224 places and expand the category of SEN provision by enlarging onto a satellite site and creating an annex at Ellar Carr Road Bradford from 24th February 2020.

The Council intends to close Ellar Carr Pupil Referral Unit, Ellar Carr Road , Bradford 10 0TD on 14th February 2020 and to deliver provision for children and young people with Social Emotional and Mental Health (SEMH) needs from Ellar Carr Road as an additional site for Beechcliffe School with effect from 24th February 2020.

Over time more children and young people with an Education and Health Care Plan have been placed within Ellar Carr PRU, due to insufficient specialist places across the district. This has led to the PRU operating more like a special school for children and young people with Social Emotional and Mental Health (SEMH) needs.

All of the children and young people currently accessing the provision have an Education Health and Care Plan except for four, who are currently going through the assessment process.

In 2018 the Schools Forum requested that officers explore the viability of the re-designation of Ellar Carr PRU as a special school. However due to the current legislation around opening new schools, this would have to be via the Free School presumption route.

The proposal is to develop a split site of Beechcliffe Special School, to deliver much needed additional places for secondary aged Children and Young people with Social, Emotional and Mental Health Needs (SEMH). This proposal will provide an additional 80 specialist places and enable children and young people who are currently being educated at Ellar Carr PRU to be educated in a special school setting.

### **Consultation:**

The Local Authority pre - consulted with all interested parties. The initial 2 week consultation period commenced on 5<sup>th</sup> November 2019 and closed on 18<sup>th</sup> November 2019. A summary of the responses and the outcome of the pre - consultation is attached.

(Appendix 1 Pre- Consultation -pre-publication phase).

We are currently entering into the Statutory Notice phase which runs from 5<sup>th</sup> December to 9<sup>th</sup> January 2020. Normally this phase would be over four weeks, however in order to take into account the Christmas holiday period this has been extended.

### **Objectives:**

The objective of the proposal is for the Local Authority to increase specialist provision in the Bradford District for secondary aged boys and girls with social, emotional and mental health needs, including behaviour needs, by increasing the number of pupils on roll at Beechcliffe School from 144 to 224 places for pupils.

When proposing changes to existing SEND Provision the Proposers have to meet the SEN Improvement Test and be able to demonstrate that the proposed arrangements are likely to lead to improvement in the standard, quality/and or range of educational provision for Children with special educational needs and disabilities. The rationale and expected benefits of the proposal are set out in the attached SEN Improvement Test

The proposal will build on the good standards for teaching and learning already in place at the school and provide additional local places for local children with special educational needs without having any negative impact on other schools, academies and educational institutions in the area. This would also increase parental choice in the area.

### **Implementation and any proposed stages for implementation:**

The proposed implementation date is 24<sup>th</sup> February 2020. The admission of pupils will be managed by the special educational needs statutory assessment process. The proposal would ensure a successful outcome for the school and children and young people.

### **Project Costs:**

Some changes of the existing Ellar Carr building are required to enable the proposed increase in places. The Local Authority has secured the amount of capital costs for the required improvements and refurbishments associated with the proposed increase in places at the school.

This would be phased in agreement with the school and Local Authority.

All specialist places at Beechcliffe School will continue to be funded from the High Needs Block part of the Dedicated Schools Grant (DSG). In accordance with the Place Plus Model (the local determined funding formula for special educational needs pupils). Place funding will be delegated to the school for an agreed number of places. Additional funding will be paid in accordance with individual pupil needs (within the established 7 range model). The revenue funding required for the additional places is included in the DSG allocation and the additional commissioned places have been agreed by the Schools Forum.

### **Evidence of demand:**

All Local Authorities have a statutory duty to keep under review the specialist provision

they make for children and young people with special educational needs and disabilities (SEND). Whilst also ensuring there are sufficient specialist places available to meet the needs of the growing SEND population.

The Bradford District has experienced a significant increase in demand for Special Educational Needs and Disabilities (SEND) provision in the last 10 years. It is projected that the demand for SEND provision will continue to grow and additional specialist places for primary and secondary aged children and young people in the Bradford District will be required.

All of the available data shows that there will be an on-going need to provide specialist provision for early years, primary and secondary phase children and young people with a range of special educational needs and disabilities throughout the Bradford District.

In monitoring these trends, data and information it has confirmed that further specialist provision is required to meet the needs of its current and future population.

Bradford has experienced a year on year increase of children and young people requiring an Educational, Health and Care Plan (EHCP). As at 1<sup>st</sup> November the Local Authority is maintaining 3860 Educational, Health and Care Plans. There are also 14,570 (13.8%) children and young people who receive SEN Support, compared to the national average of 11.8%.

The projected population increases are applied to the current known special educational needs and disabilities population. In addition, other local data such as the Joint Strategic Needs Assessment (JSNA) is considered such as the prevalence of complex health and disability in the local district. The early identification of young children and the outcome of statutory assessments have identified an increase in numbers for some areas of need.

The Bradford District Education Organisation Plan takes into account different factors when predicting school demand including fertility and birth rates, housing growth and inward/outward migration. Analysis of the Index of Deprivation and population estimates from the Office for National Statistics are also taken into account.

There have been a number of influencing factors in relation to the demand for specialist in the Bradford District:

- Improvements in medical interventions which has significantly increased life expectancy for those children with life limiting conditions
- The overall increase in the pupil population since 2005, particularly within the south Asian community and economically deprived areas.
- An increase in the number of referrals received for statutory assessment
- Requests for statutory assessment have increased from 265 in 2015/16 to 842 in 2018/19. Approximately 20% of these requests resulted in a change of provision.
- An increase in the number of in-year admissions to special schools and the number of children and young people requiring a change in provision. For place projection purposes it is anticipated that this number will continue at similar levels for the next three years.
- The capacity of our schools to meet the needs of children and young people with

special educational needs and disabilities.

Another influence could be parental preference for specialist provision but these changes could also be linked to the capacity of our schools to meet a range of learning needs balancing the needs of all children and the pressure to improve standards alongside the level of resources that are delegated directly to schools.

Social, Emotional and Mental Health Needs (SEMH) is the second largest primary need in Bradford. In primary school the numbers with an EHCP are lower 29% than that in Secondary 71%. The number of children and young people in secondary school having SEN support for SEMH has increased by 56% from 2014-2019.

The distribution of special educational needs and disabilities is widespread across the District.

This provides an indication of the future demand for specialist places; it also shows that additional specialist places will be required to support children and young people with special educational needs and disabilities as we move forward.

### **Future Specialist Provision**

The Bradford District has experienced a significant increase in demand for Special Educational Needs and Disabilities (SEND) provision in the last 10 years. It is projected that the demand for SEND provision will continue to grow and additional specialist places for primary and secondary aged children and young people in the Bradford District will be required.

In 2018 the Council Executive approved a number of proposals to increase and create additional specialist provision across the district. The Regional Schools Commissioner also approved via the Headteacher Board a number of proposals relating to academy schools across Bradford. This led to a total increase of 360 additional specialist places, across the LA maintained and Academy sector.

It is projected that the demand for SEND provision will continue to grow across all sectors in the Bradford District. The Schools Forum agreed in January 2019 to commission an additional 354 specialist places, as presented as part of the draft outline plan.

- There is an urgent need for more specialist places in Bradford due to the increase in population
- All children are to be valued equally, regardless of their ability, behaviour, family circumstances, ethnic origin, gender and sexual orientation
- All children are to be provided with the best learning opportunities, environment and experience which maximises their learning
- All children are entitled to a broad, balanced and relevant curriculum which is differentiated to meet individual needs
- Children's diverse special educational needs and disabilities require a range of flexible and varied provision

The proposal will expand and develop further, the specialist provisions to enhance the network of Special Schools, EYESPs and RPs which form part of:

- A coherent geographical spread of provision across the District, minimising travel times
- A dynamic network for sharing best practice and experience
- Flexible and responsive provision to best meet the needs of Children and Young People with SEND

Children and Young People with a range of Special Educational Needs and Disabilities will continue to be well served in Bradford. The council is looking at the best way to offer a full range of provision locally for all children. We believe that a flexible district wide model will be able to respond effectively to local changes in demand.

The proposed change will ensure the continued delivery of high quality and cost effective provision for the children and Young People of Bradford. The Council intend to have a District wide structure of EYESPs, RPs and Special Schools that will:

- Provide local specialist provision, reducing the need for pupils to travel long distances across the District
- Provide an equitable distribution of local specialist provision for children and young people with special educational needs and disabilities
- Provide increased access to the curriculum; due to the staffing experience and capacity of the new RPs and Special schools. It will be possible to individually differentiate and support the work and potential of each individual pupil
- Provide an increased level of available support to all pupils and will give the greatest opportunity to increase inclusion for Special school, EYESP and RP pupils who are otherwise very vulnerable
- Provide an improved support network, especially related to training that will support and develop the proposals
- Provide a progression pathway from Primary phase to Secondary phase.

### **Objections and comments:**

Any person or organisation may submit written objections or comments on the proposals by sending them to Diane Cochrane at the below address or email by 9 January 2020 (in support or objections)

SEND Planning & Strategy Lead, Children's Services, 7th Floor, Margaret McMillan Tower, Bradford, BD1 1NN or email

[SENDPlacesConsultation@bradford.gov.uk](mailto:SENDPlacesConsultation@bradford.gov.uk)

## **Appendix 6 Statutory Proposal for a Prescribed Alteration**

### **Proposal to Establish a Resourced Provision Led by the Local Authority (RP-LA) at Fagley Primary School**

#### **School and Local Authority details:**

**School:** Fagley Primary School, Falsgrave Ave, Bradford BD2 3PU

This is a maintained primary school.

**Local Authority:** City of Bradford Metropolitan District Council, City Hall, Bradford BD1 1HY

#### **Description of alteration:**

The proposal is to establish a Resourced Provision - Local Authority Led (RP-LA) at Fagley Primary School with up to 12 places for primary aged boys and girls with communication and interaction needs including Autistic Spectrum Disorder (ASD). The proposed implementation date is 24<sup>th</sup> February 2020. The proposed provision is recognised by the Local Authority as reserved for children with special educational needs.

The admission of pupils will be managed by the special educational needs statutory assessment process. It is anticipated that the provision will grow over time.

No new or additional site is required to establish the proposed RP-LA. This will be achieved by using an area of the existing Children Centre building, which is on the school site. The Local Authority has secured the amount of capital costs for the required improvements and refurbishments associated with the proposed establishment of a 12 place RP-LA at the school.

#### **Consultation:**

The Local Authority pre-consulted with all interested parties. The 2 week pre-consultation period commenced on 5<sup>th</sup> November 2019 and closed on 18<sup>th</sup> November 2019. A summary of the responses and the outcome of the pre-consultation is attached. (Appendix 1 Pre-Consultation phase).

We are currently entering into the Statutory Notice phase which runs from 28<sup>th</sup> November to 9<sup>th</sup> January 2020. Normally this phase would be over four weeks, however in order to take into account the Christmas holiday period this has been extended.

#### **Objectives:**

The objective of the proposal is to establish a RP-LA at Fagley Primary School with up to 12 places for primary aged boys and girls with communication and interaction needs including Autistic Spectrum Disorder (ASD) to accommodate the increasing demand for specialist provision places across the District.

When proposing changes to existing SEND Provision the Proposers have to meet the SEN Improvement Test and be able to demonstrate that the proposed arrangements are

likely to lead to improvement in the standard, quality/and or range of educational provision for Children with special educational needs and disabilities. The rationale and expected benefits of the proposal are set out in the attached SEN Improvement Test.

The proposals will build on the good standards for teaching and learning already in place at the school and provide additional local places for local children with special educational needs without having any negative impact on other schools, academies and educational institutions in the area. This would also increase parental choice in the area.

### **Implementation and any proposed stages for implementation:**

The proposed implementation date is 24<sup>th</sup> February 2020. The admission of pupils will be managed by the special educational needs statutory assessment process. It is anticipated that the provision will grow over time. The proposal would ensure a successful outcome for the school and children and young people.

### **Project Costs:**

No new or additional site is required but using an area of the existing Children Centre building would be required to enable the proposed establishment of a RP-LA. The Local Authority has secured the amount of capital costs for the required improvements and refurbishments associated with the proposed establishment of a 12 place RP-LA at the school. This would be phased in agreement with the school and Local Authority.

The proposed new RP-LA places at Fagley Primary School will be funded from the High Needs Block part of the Dedicated Schools Grant (DSG). In accordance with the local determined funding formula for special educational needs pupils. Element 1 of the place funding will be delegated to the school for an agreed number of places. Element 2 & element 3 (additional funding will be paid in accordance with individual pupil needs – 7 range funding model) will be retained by the central council service to pay for the staffing/resources in the proposed provision. The Local Authority maintains a service level agreement with each of the schools who host specialist provisions.

### **Evidence of demand:**

All Local Authorities have a statutory duty to keep under review the specialist provision they make for children and young people with special educational needs and disabilities (SEND). Whilst also ensuring there are sufficient specialist places available to meet the needs of the growing SEND population.

The Bradford District has experienced a significant increase in demand for Special Educational Needs and Disabilities (SEND) provision in the last 10 years. It is projected that the demand for SEND provision will continue to grow and additional specialist places for primary and secondary aged children and young people in the Bradford District will be required.

All of the available data shows that there will be an on-going need to provide specialist provision for early years, primary and secondary phase children and young people with a range of special educational needs and disabilities throughout the Bradford District.

In monitoring these trends, data and information, it has confirmed that further specialist

provision is required to meet the needs of its current and future population.

In January 2005 the population in the Districts Schools and Nurseries was 79,589. In January 2015 the population was 90,292 which is an increase of 13.4%. The current population January 2019 is 100,778.

The projected population increases are applied to the current known special educational needs and disabilities population. In addition, other local data such as the Joint Strategic Needs Assessment (JSNA) is considered such as the prevalence of complex health and disability in the local district. The early identification of young children and the outcome of statutory assessments have identified an increase in numbers for some areas of need.

The Bradford District Education Organisation Plan takes into account different factors when predicting school demand including fertility and birth rates, housing growth and inward/outward migration. Analysis of the Index of Deprivation and population estimates from the Office for National Statistics are also taken into account.

There have been a number of influencing factors in relation to the demand for specialist in the Bradford District:

- Improvements in medical interventions which has significantly increased life expectancy for those children with life limiting conditions
- The overall increase in the pupil population since 2005, particularly within the south Asian community and economically deprived areas
- An increase in the number of referrals received for statutory assessment
- Requests for statutory assessment have increased from 265 in 2015/16 to 842 in 2018/19. Approximately 20% of these requests resulted in a change of provision
- An increase in the number of in-year admissions to special schools and the number of children and young people requiring a change in provision. For place projection purposes it is anticipated that this number will continue at similar levels for the next three years
- The capacity of our schools to meet the needs of children and young people with special educational needs and disabilities

Another influence could be parental preference for specialist provision but these changes could also be linked to the capacity of our schools to meet a range of learning needs balancing the needs of all children and the pressure to improve standards alongside the level of resources that are delegated directly to schools.

The identification of Autism Spectrum Disorder continues to increase. More clinics have been established to enable the diagnosis of ASD earlier. Support documents from the Joint Assessment Clinic show there is likely to be an increase in demand for autism provision. Health professionals inform the Local Authority of young children with additional needs. An analysis of these notifications shows that children and young people identified with speech language and communication needs are the largest cohort of notifications received. A significant number of these are likely to receive a diagnosis of Autism.

The distribution of special educational needs and disabilities is widespread across the District.

This provides an indication of the future demand for specialist places; it also shows that additional specialist places will be required to support children and young people with special educational needs and disabilities as we move forward.

### **Future Specialist Provision**

The Bradford District has experienced a significant increase in demand for Special Educational Needs and Disabilities (SEND) provision in the last 10 years. It is projected that the demand for SEND provision will continue to grow and additional specialist places for primary and secondary aged children and young people in the Bradford District will be required.

In 2018 the Council's Executive approved a number of proposals to increase and create additional specialist provision across the district. The Regional Schools Commissioner also approved via the Headteacher Board a number of proposals relating to academy schools across Bradford. This led to a total increase of 360 additional specialist places, across the LA maintained and Academy sector.

It is projected that the demand for SEND provision will continue to grow across all sectors in the Bradford District. The Schools Forum agreed in January 2019 to commission an additional 354 specialist places, as presented as part of the draft outline plan.

- There is an urgent need for more specialist places in Bradford due to the increase in population
- All children are to be valued equally, regardless of their ability, behaviour, family circumstances, ethnic origin, gender and sexual orientation
- All children are to be provided with the best learning opportunities, environment and experience which maximises their learning
- All children are entitled to a broad, balanced and relevant curriculum which is differentiated to meet individual needs
- Children's diverse special educational needs and disabilities require a range of flexible and varied provision

These proposals will expand and develop further, the specialist provisions to enhance the network of Special Schools, EYESPs and RP-LA's which form part of:

- A coherent geographical spread of provision across the District, minimising travel times
- A dynamic network for sharing best practice and experience
- Flexible and responsive provision to best meet the needs of Children and Young People with SEND

Children and Young People with a range of Special Educational Needs and Disabilities will continue to be well served in Bradford. The Council is looking at the best way to offer a full range of provision locally for all children. We believe that a flexible district wide model will be able to respond effectively to local changes in demand.

The proposed changes will ensure the continued delivery of high quality and cost effective

provision for the children and Young People of Bradford. The Council intend to have a District wide structure of EYESPs, RP-LAs School Led, RP-LAs Local Authority Led and Special Schools that will:

- Provide local specialist provision, reducing the need for pupils to travel long distances across the District
- Provide an equitable distribution of local specialist provision for children and young people with special educational needs and disabilities
- Provide increased access to the curriculum; due to the staffing experience and capacity of the new RP-LAs school led and increased capacity of RP-LAs Local Authority led and Special schools. It will be possible to individually differentiate and support the work and potential of each individual pupil
- Provide an increased level of available support to all pupils and will give the greatest opportunity to increase inclusion for Special school, EYESP, and RP-LA pupils who are otherwise very vulnerable
- Provide an improved support network, especially related to training that will support and develop the proposals
- Provide a progression pathway from Primary phase to Secondary phase.

Central to these proposals is the continuity of provision between early years, primary and secondary phases of education.

### **Objections and comments:**

Any person or organisation may submit written objections or comments on the proposals by sending them to Diane Cochrane at the below address or email by 9<sup>th</sup> January 2020 (in support or objections)

SEND Planning & Strategy Lead, Children's Services, 7th Floor, Margaret McMillan Tower, Bradford, BD1 1NN or email

[SENDPlacesConsultation@bradford.gov.uk](mailto:SENDPlacesConsultation@bradford.gov.uk)

## **Appendix 7 Statutory Proposal for a Prescribed Alteration**

### **Proposals to Alter Early Years Enhanced Specialist Provision (EYESP) at Abbey Green Nursery School**

### **Proposals to Establish Early Years Enhanced Specialist Provision (EYESP) at Midland Road Nursery School**

#### **School and Local Authority details:**

**Schools:** Abbey Green Nursery School, Green Lane, Bradford BD8 8HH  
Midland Road Nursery School, Thorncliffe Rd, Bradford BD8 7DJ

Both provisions are maintained nursery schools.

**Local Authority:** City of Bradford Metropolitan District Council, City Hall, Bradford BD1 1HY

#### **Description of alteration:**

##### **The proposals are to**

- Reduce the current number of EYESP places at Abbey Green Nursery School from 20\* to 10 places.
- Develop 10 new EYESP places at Midland Road Nursery School.

Since the opening of the 20\* place Early Years Enhanced Specialist Provision (EYESP) for children aged 2 – 5 years with a range of special educational needs and disabilities at Abbey Green Nursery School, the setting has run with an under occupancy.

Abbey Green Nursery School is part of a federation with Midland Road Nursery School and Strong Close Nursery School. All three nursery schools have an Executive Head who oversees all provisions. Both Abbey Green Nursery schools and Strong Close currently have EYESPs. It has been identified that it would be beneficial to the children and parents in the area, if Midland Road Nursery School delivered EYESP places.

The proposed provision is recognised by the Local Authority as reserved for children with special educational needs.

The admission of pupils will be managed by the special educational needs statutory assessment process. It is anticipated that the new provision will grow over time.

No new or additional site is required to establish the proposed EYESP. This will be achieved by remodelling of the existing building on the school site. The Local Authority has secured the amount of capital costs for the required improvements and refurbishments associated with the proposed establishment of a 10\* place EYESP at the school.

The reduction of places at Abbey Green Nursery School will not require any changes to the Nursery School. \* Part time places.

#### **Consultation:**

The Local Authority pre-consulted with all interested parties. The 2 week pre-consultation period commenced on 5<sup>th</sup> November 2019 and closed on 18<sup>th</sup> November 2019. A

summary of the responses and the outcome of the pre-consultation is attached. (Appendix 1 Pre-Consultation phase).

We are currently entering into the Statutory Notice phase which runs from 28<sup>th</sup> November to 9<sup>th</sup> January 2020. Normally this phase would be over four weeks, however in order to take into account the Christmas holiday period this has been extended.

### **Objectives:**

The objective of the proposal to establish an EYESP at Midland Road Nursery School is to have a wider geographical spread of EYESP places available for parents. The re-distribution of Abbey Green Nursery Schools under used places is response to parent led demand for provision in the Midland Road area.

When proposing changes to existing SEND Provision the Proposers have to meet the SEN Improvement Test and be able to demonstrate that the proposed arrangements are likely to lead to improvement in the standard, quality/and or range of educational provision for Children with special educational needs and disabilities. The rationale and expected benefits of the proposal are set out in the attached SEN Improvement Test.

The proposals will build on the good standards for teaching and learning already in place at the school and provide additional local places for local children with special educational needs without having any negative impact on other schools, academies and educational institutions in the area. This would also increase parental choice in the area.

### **Implementation and any proposed stages for implementation:**

The proposed implementation date is 24<sup>th</sup> February 2020. The admission of pupils will be managed by the special educational needs statutory assessment process. It is anticipated that the provision will grow over time. The proposal would ensure a successful outcome for the school and children and young people.

### **Project Costs:**

No new or additional site is required but some remodelling of the existing building would be required to enable the proposed establishment of a new EYESP. The Local Authority has secured the amount of capital costs for the required improvements and refurbishments associated with the proposed establishment of a 10\* place EYESP at the nursery school. This would be phased in agreement with the school and Local Authority.

The proposed new Early Years Enhanced Specialist Provision places at Midland Road Nursery School will be funded from the High Needs Block part of the Dedicated Schools Grant (DSG). The revenue funding required for the additional places is included in the DSG allocation and the additional commissioned places have been agreed by the Schools Forum.

The Local Authority maintains a service level agreement with each of the schools who host specialist provisions.

### **Evidence of demand:**

All Local Authorities have a statutory duty to keep under review the specialist provision they make for children and young people with special educational needs and disabilities (SEND). Whilst also ensuring there are sufficient specialist places available to meet the needs of the growing SEND population.

The Bradford District has experienced a significant increase in demand for Special Educational Needs and Disabilities (SEND) provision in the last 10 years. It is projected that the demand for SEND provision will continue to grow and additional specialist places for primary and secondary aged children and young people in the Bradford District will be required.

All of the available data shows that there will be an on-going need to provide specialist provision for early years, primary and secondary phase children and young people with a range of special educational needs and disabilities throughout the Bradford District.

In monitoring these trends, data and information, it has confirmed that further specialist provision is required to meet the needs of its current and future population.

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