

Free School Presumption Specification to support the proposal to establish a new secondary special school in Luton

Spring 2020

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Section A – The Luton context and application process

Under section 6A of the Education and Inspections Act 2006 (the ‘free school presumption’) where a local authority identifies the need to establish a new school it must, in the first instance, seek proposals to establish an academy. Luton Council has identified the need to establish a new secondary special school to open in September 2021.

There are currently three community special schools in Luton (two primary and one secondary):

School	Designation (from school website)	Capacity	19/20 funded places	Number on roll (NOR)
Lady Zia Wernher	Primary (3 – 11) Community Special School Severe to profound learning difficulties. Additional needs may include physical impairment and complex medical needs.	120	Sep- Mar:105 April-Aug:120	Oct census: 108 Dec NOR: 106.5fte Agreed for Jan: 112 Anticipated for April: 120
Richmond Hill	Primary (5 – 11) Community Special School Severe and complex needs.	240	Sep–Mar:229 April–Aug:233	Oct Census: 208 Dec NOR: 214 Agreed for Jan: 233 Anticipated for Jan: 233
Woodlands	Secondary (11 – 19) Community Special School Learning needs associated with profound and multiple learning difficulties, severe learning difficulties (SLD) and complex moderate learning difficulties. Needs may include Autistic Spectrum Disorder (ASD) and communication, hearing impairment, visual impairment, physical needs.	260	Sep – Mar: 247 April– Aug: 260	Oct census: 258 Dec NOR: 259 Agreed for Jan: 260

There are currently 45 Luton pupils attending special schools or schools for pupils with Moderate Learning Difficulties (MLD) with additional needs in neighbouring local authority areas.

Luton has taken steps to increase capacity across the Luton special schools through the expansion of Richmond Hill onto a second site in September 2016. Woodlands Secondary School was expanded by 100 places in September 2015 and a further extension was completed in November 2019.

Forecast demand

Special school forecasts are produced by analysing birth data, Council population projections and ethnicity data, the proportion of pupils in special schools, school census data and the two year trend for cohorts moving through the system (cohort survival method).

The total numbers forecast for each special school between 2019/2020 and 2026 are set out below.

	Lady Zia Wernher (projections exclude nursery children)	Richmond Hill	Woodlands	Total
Total Capacity	120 (including nursery)	240	260	620
2020/2021	96	220	281	597
2021/2022	96	231	315	642
2022/2023	103	240	336	679
2023/2024	108	250	356	714
2024/2025	108	255	376	739
2025/2026	114	267	375	756

The number of pupils forecast to leave Year 6 at Lady Zia Wernher and Richmond Hill Primary Special Schools, and are likely to require a secondary special school place in the next five years are:

	Lady Zia Wherner	Richmond Hill	Total
2020 / 21	15	34	49
2021 / 22	11	39	50
2022 / 23	14	38	52
2023 / 24	18	47	65
2024 / 25	15	41	56

Woodlands Secondary Special School forecasts for the next seven years are:

	Woodlands	Number above capacity (260)
2020 / 21	281	21
2021 / 22	315	55
2022 / 23	336	76
2023 / 24	356	96
2024 / 25	376	116
2025 / 26	375	115

The figures set out above demonstrate a future gap in local provision that could not be met by further expansion of existing special schools. The proposed additional secondary special school is required to ensure there are sufficient places to meet future demand. The Council will continue to work with existing special schools to identify solutions to meet changing needs and demand.

A site has been identified which, with capital investment, could provide capacity for (within the region of) 90 places, dependent on the mix of needs of the pupils (see Section B). The site does not have capacity to provide all of the specialist facilities that may be required by pupils with Profound and Multiple Learning Difficulties (PMLD), although these could be accessed at other special schools.

Special Educational Needs and Disability (SEND) Strategic Plan

The SEND Strategic Plan (2017 – 2020) sets out the Council’s ambition for improving outcomes for children and young people, aged 0 to 25 years, with SEND. It describes the vision, context within which all key partners should work, the principles underlying its delivery, and the ways in which achievements can be evaluated. The refreshed SEND Strategic Plan will form part of the overarching Education Strategy and Luton’s Inclusion Strategy. Luton Council’s vision for supporting children and young people with SEND, along with its partners, is to develop a range of quality local provision that will enable children and young people to play, learn, live and work

within their local communities in preparation for their adulthood where they can live and work in Luton as independently as possible.

In order to deliver this vision, additional local special school places across the secondary phase are required to support children and young people with severe and complex learning disabilities. These may include SLD, PMLD and MLD with additional complex needs such as epilepsy, mental health needs/anxiety or autism with associated behaviours that are challenging.

The Council is seeking proposals from appropriate sponsors to open a new secondary special free school. Proposers should complete the [Free School Presumption application form](#) which can be found by clicking on the link <https://www.gov.uk/government/publications/establishing-a-new-school-free-school-presumption>

Please return your completed form to nicholas.nel@luton.gov.uk or by post to:

Nicholas Nel – Education Provision and Planning Manager
 Children, Families and Education
 Luton Council
 Town Hall
 Luton LU1 2BQ

The indicative timescales for the application and assessment process are set out below. Any changes of indicative dates will be updated on the Council’s website (create link to correct page)

Key dates

3rd February 2020	Publication of specification on the website and opening date of competition
4 February 2020	Stakeholder briefing for interested proposers
27th April 2020	Deadline for submission of proposals
June 2020	Assessment of proposals
June 2020	Recommendations from the assessment provided to the Department for Education (DfE) supported by reasons
August 2020	Anticipated decision from the Secretary of State
September 2021	Proposed opening date

Section B – The School

Proposed opening date	September 2021
Proposed site	York Street, Luton LU2 0EZ The site is the former Studio School in Luton, and was subsequently occupied by a Trust until occupation of their new site (Sept 19). It is currently not occupied, and is overseen by a security company commissioned by the Education, Skills and

	Funding Agency (ESFA). There has been discussion with the ESFA to occupy the site from September 2020 to allow remodelling works to take place. The proposed plans are attached at Appendix 1
Pupil capacity	In region of 90 places, dependent on need
Admission Arrangements	Through Luton SEND Service
Type of school	Special Academy
Age Range	11 - 19
Gender	Mixed
Nursery Provision	No
Sixth Form Provision	10 places integrated into the school for those pupils that need it. The sixth form provision will support the complex needs of the pupils, but will need to be delivered in partnership with other local post 16 providers so that the pupils have access to a broad curriculum offer that meets their needs and aspirations and prepares them for adulthood.
Type of SEND provided for	Severe and complex learning disabilities which may include SLD, PMLD and MLD with additional complex needs such as autism, communication difficulties and associated behaviours that are challenging
Community use / shared facilities	The site may be used to support holiday and weekend activities (part of the Short Breaks offer). There may be a need to share some facilities across the other special schools.

The table below sets out the anticipated number on roll at opening, and the expected rate of growth until the school is full. Due to the nature of the needs of the pupils, it is not anticipated that all proposed places will be filled at the start of the school year, but that they will be admitted throughout the year, as is usual in a special school.

	2021/2022	2022/2023	2023/2024	2024/2025
Key Stage 3 (Years 7 – 9)	40	49	50	40
Key Stage 4 (Years 10 & 11)	0	16	40	40
Post 16 (Years 12, 13, 14)	0	0	0	10
Total	40	65	90	90

Admissions

Admissions will be via Luton's SEND Team following the placement process set out in the SEND Code of Practice (2015). Placement decisions, to determine the named school in an EHCP, are made at the Council's Statutory Provisions and Assessment Group (SPAG) Panel. The School will be one of two secondary special schools in Luton and, where possible, admission will be to the school closest to home taking account of the pupil's needs and parental preference.

Transport to the school will be arranged in line with Luton Council's Transport Policy https://www.luton.gov.uk/Education_and_learning/Schools_and_colleges/parents-students/travel%20to%20school%20and%20college/Pages/Home%20to%20School%20Transport_2.aspx

Integrated Impact Assessment (IIA)

An IIA has been initiated and will be added to throughout the course of this project. Details can be found in Section G

Section C – Vision

Applicants should take account of the relevant criteria in Annex C of the free school presumption guidance.

As a minimum, please ensure you include how you will meet the following:

- A strong educational vision that supports Luton's vision for children and young people with SEND.
- Details of how you will ensure quality specialist educational provision which meets the need of pupils with SEND across Luton.
- Your approach to curriculum delivery, teaching and learning and how it will improve the outcomes of the pupils at each key stage and prepare them for the next stage in their education / adult life.
- Details of the actions you will take, through the annual review process of EHCPs, to ensure that all needs remain correctly identified and that the right provision is in place.
- Plans for appropriate engagement with the local community and parents / carers during the pre-opening period and any on-going engagement. Please explain how you will ensure that co-production is at the heart of your approach.
- Excellent support facilities to meet the holistic needs of all children (including looked after children) across the range of Special Educational Needs, which should include working with partners to arrange on site therapies, where required.
- A commitment to excellent outcomes and high quality teaching and learning
- Details of the CPD you will provide to staff to ensure they are well equipped to meet the needs of all pupils.
- Details of how you will work with existing special schools to support SEND provision across Luton.
- Details of how you will support developing expertise across mainstream schools and contribute to the Luton approach to outreach (school to school support), including working with teaching school alliances.
- Details of how you will work with health and social care partners to meet the identified health and care needs of the children and young people at the School.

Section D – Education Plan

Applicants should take account of the relevant criteria in Annex C of the free school presumption guidance.

As a minimum please ensure you include the following:

- An ambitious, broad and balanced, deliverable curriculum plan which is consistent with the vision and pupil intake. This could include a curriculum table and pupil build up chart
- Strategies for measuring pupil progress effectively in all areas of their development and setting challenging targets
- Strategies for ensuring all pupils have an effective transition pathway and are prepared for the next stage in their lives
- The actions you will take to ensure effective partnerships with other agencies that support positive outcomes for pupils, including health and social care services
- A curriculum that supports the sensory needs of the pupils
- A staffing structure that will deliver the planned curriculum within the expected income levels; with a focus on outstanding teaching (including strategies for effective performance management). This could also include an organogram and staff build up chart
- How the needs of all children are fully provided for and how the school will be fully inclusive, including planned arrangements for working with other schools in the local area
- The School's approach to building capacity and supporting children and young people with SEND across the local area.
- Details of enrichment and extended services, for example, breakfast clubs, after school clubs and holiday clubs
- The school's approach to: PHSE; the Prevent Duty; safeguarding and welfare; and promoting fundamental British values (democracy, the rule of law, individual liberty, mutual respect and tolerance of those with different faiths and beliefs)

Section E – Capacity and Capability

Applicants should take account of the relevant criteria in Annex C of the free school presumption guidance.

As a minimum please ensure you include the following:

- The resources you would draw on and/or deploy to support the development of the new free school by the opening date
- Clear evidence that you have the range of skills and abilities necessary to set up and then run a school effectively, including: managing school finances; leadership; project management; marketing; human resources; safeguarding; and health and safety
- How the school would be organised and what the governance arrangements would look like, including a diagram of the proposed structures

Section F – Funding and Costs

- A site has been identified, which is in very good condition, having originally been a Studio School with subsequent refurbishment in 2017 to accommodate a Year 7 cohort for one year, prior to pupils transferring to their permanent site.
- Funding has been committed from the Council's Basic Need budget as well as from the SEND Capital Grant (if required) to make the required adaptations to the site. Additional land has been identified, adjacent to the school (subject to necessary approvals), to provide additional outdoor space and parking / transport drop off arrangements. More detailed costings will be gained from feasibility works.
- The land is owned by the Education, Skills and Funding Agency (ESFA) following transfer of the land to the ESFA following the closure of the Barnfield Studio School. Luton is working with the ESFA for temporary transfer of the lease to Luton Council to allow the building to be developed for the proposed school.
- The building is physically accessible, with ramped access, wide corridors and doorways and lift access to the second floor. Adaptations will be made for specialist toilet / changing facilities/ hygiene rooms and therapy rooms to deliver the provision. Acoustic quality will be reviewed as part of the adaptations.
- The DfE currently provides £25,000 for legal expenses to the successful sponsor.
- The pre-opening grant and diseconomy of scale costs will be discussed with the successful sponsor.
- In addition to the £10k place funding for pupils on roll, top up funding, will be provided, that reflects the banding levels of the actual pupils placed at the school. These rates mirror the funding provided to Luton's other special schools:
 - Band 1: £6,000 (anticipated to be c10% of pupils)
 - Band 2: £8,500 (anticipated to be c50% of pupils)
 - Band 3: £12,000 (anticipated to be c40% of pupils)
- The Council will provide outreach funding of £48k – this is an annual payment to undertake work in Luton's mainstream schools, providing advice and strategies to assist the school with meeting the complex needs of children with an EHC Plan.

Section G – Integrated Impact Assessments

As prescribed by section 9 of the Academies Act 2010 and section 149 of the Equality Act 2010, the Local Authority must assess the potential impact of any new school on existing educational provision in the area. The local authority must also consider whether the new school would impact on any groups with protected characteristics.

An intergrated impact assessment has been developed, taking into account feedback from the consultation process. Positive impact was identified in relation to disability, age, gender and

community cohesion; the impact was agreed as neutral for other groups with protected characteristics.