



Education  
Funding  
Agency

# Placement Technical Guidance for Independent Specialist Providers 2012/13

**September 2012**

Of interest to Independent Specialist Providers and local  
authorities

**For Action**

## Further information

For further information please contact the appropriate EFA territory.

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Castle View House  
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WA7 2GJ

### Eastern Territory

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Vision Park  
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CB24 9PW

Lime House  
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Nottingham,  
NG11 6JS

### Southern Territory

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20 Great Smith Street  
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# Contents

|  | <i>Paragraph number</i> |
|--|-------------------------|
| <b>Introduction</b>  | <b>1</b>                |
| <b>Contractual requirements</b>  | <b>3</b>                |
| Funding methodology  | 3                       |
| Exceptional funding  | 6                       |
| Non-programme delivery   | 10                      |
| Withdrawals  | 12                      |
| Student assessments  | 16                      |
| Review reports: minimum requirements   | 17                      |
| New placements   | 23                      |
| Direct payments  | 31                      |
| Placement summary  | 35                      |
| In-year changes  | 36                      |
| Incident reporting   | 39                      |
| Placement extension requests   | 40                      |
| Destination data   | 44                      |
| Attendance reconciliation report   | 45                      |
| Data and information transmission  | 46                      |
| <b>Completion of Annex 6 - TG: Confirmation of Agreed Provision 2012/13</b>  | <b>49</b>               |
| Contact hours  | 49                      |
| Contact hour bands   | 55                      |
| Methodology  | 58                      |
| Staff training   | 60                      |
| <b>Record-keeping and Audit Trail</b>  | <b>61</b>               |
| <b>Profiles</b>  | <b>66</b>               |
| <b>Clarification of Specific Issues and Variations in Practice</b>   | <b>69</b>               |
| Students placed at Independent Specialist Providers who attend general further education colleges or other education providers | 70                      |
| Staffing   | 74                      |
| Equipment  | 88                      |
| Asset acquisition  | 96                      |

## **Annexes**

- 1: Contact Hour Ranges
- 2: Support Bands: Rates for 2012/13
- 3: Effective Practice
- 4: Session Record Form
- 5: Summary of Results (Worked Example)
- 6: Confirmation of Agreed Provision 2012/13
- 7: Exceptional Funding Request Summary Form
- 8: Withdrawal Notification for EFA-funded Students at Independent Specialist Providers
- 9: Request for Placement Extension 2012/13
- 10: Record of Student Destination
- 11: References

# Introduction

- 1 This guidance sets out the procedures and criteria for the agreement to, and placement of, students at Independent Specialist Providers pursuant to the legal duties and powers imposed on local authorities and the Education Funding Agency (EFA) under the Apprenticeships, Skills, Children and Learning Act 2009 (ASCL Act). These duties and powers are in relation to securing the provision of education and training for students with learning difficulties and/or disabilities who are over compulsory school age but under 25 and are subject to a learning difficulty assessment.
- 2 This guidance forms part of the EFA condition of funding, including contractual obligations and the use of the contact-hours approach... Independent Specialist Providers are required to follow the overall methodologies contained within this document. In addition, Independent Specialist Providers are required to ensure that, whatever approach they choose to adopt, the definition and evidence of hours of support delivered to students are robust, appropriately evidenced, effectively monitored and available to the EFA.

## Contractual Requirements

### Funding methodology

- 3 The EFA funding methodology for Independent Specialist Providers is outlined in Annex 1 – TG ('Contact Hour Ranges') and Annex 2 ('Support Bands: Rates for 2012/13') to this document. Independent Specialist Providers are contractually (schedule 1, clause 3) bound to operate within the funding methodology.
- 4 The funding methodology reflects the comparable cost of a programme of study for a maximum of 38 weeks a year. The funding covers all elements of the programme and the support required by the student to access the programme of education and training, including residential provision where appropriate. The funding also covers the cost of the pre-entry assessment of the student by the Independent Specialist Provider. No separate fees should be charged to the student, or any agencies, in respect of this assessment.
- 5 The funding levels are gross; payments from other agencies will be deducted from the total placement cost. Contributions made by other agencies in respect of any weeks over and above the maximum EFA-contracted 38-week funding period are outside the EFA's remit and will not be considered.

### Exceptional funding

- 6 Contact hours provided to a student that are in excess of the limits defined by the contact hours range (Annex 1 – TG: 'Contact Hour Ranges') may indicate that the student is in need of support that requires exceptional funding.

- 7 A separate claim (Annex 7 - TG: 'Exceptional Funding Request Summary Form'), together with supporting evidence for these exceptional needs, must be submitted to the student's home local authority at the earliest opportunity for consideration. All contact hours must constitute direct student contact with a suitably qualified member of staff and must not relate to back-office or other costs, eg reception and administration. See paragraphs 51-60 for more information.
- 8 The request must clearly indicate which elements of support are considered exceptional, the associated costs of providing those elements of exceptional support and justification for why the support is needed for that student in the circumstances.
- 9 Requests for exceptional funding in excess of £35,000 over the published support band rates outlined in Annex 2 - TG ('Support Bands: Rates for 2012/13') will be subject to an independent review commissioned by the EFA. This may result in funding decisions taking longer, but the rationale is to support the responsibilities of the EFA and local authorities in respect of the effective and proper use of public funds.

#### **Non-programme delivery**

- 10 Where an Independent Specialist Provider is unable to deliver any element of support identified in the learning difficulty assessment, and as set out in the individual student schedule, it is a contractual obligation (schedule 2, clause 5) that the Independent Specialist Provider inform the student's home local authority and submit a revised Annex 6 - TG ('Confirmation of Agreed Provision 2012/13').
- 11 Any failure by the Independent Specialist Provider to notify the student's home local authority of changes to the delivery of support could be considered a breach of contract, as set out at clause 18 of the contract.

#### **Withdrawals**

- 12 It is a contractual obligation (schedule 4, clause 2.6) for Independent Specialist Providers to advise the student's home local authority and the EFA as soon as possible if a student is no longer attending the placement. The Independent Specialist Provider must complete and forward Annex 8 - TG ('Withdrawal Notification for EFA-funded Students at Independent Specialist Providers') of this guidance to the student's home local authority.
- 13 Where a withdrawal is due to a student fatality, the Independent Specialist Provider, at the earliest opportunity, must inform the student's home local authority and the EFA in line with health and safety guidance as per the obligations set out in schedule 3, clauses 6 and 7 of the contract.
- 14 The Independent Specialist Provider will be responsible for ensuring the student's home local authority has received the documentation. If the Independent Specialist Provider has submitted a withdrawal form and is aware that it is still receiving funding for that student, it must immediately advise the student's home local authority.

- 15 For budgetary purposes, it should be noted that, as set out in the contract (schedule 2, clause 5.3), the Independent Specialist Provider may or may not be funded depending on the reason for withdrawal.

### **Student assessments**

- 16 Independent Specialist Providers are required to assess students as part of their pre-entry assessment procedures and to confirm each student's support needs as part of the existing review processes. The pre-entry assessment should be informed by the student's learning difficulty assessment. The purpose of the learning difficulty assessment is to identify the young person's needs and support required to access the proposed education and training, and appropriate provision that can meet those needs.

### **Review reports: minimum requirements**

- 17 Independent Specialist Providers are contractually required (schedule 2, clause 2.2) to undertake student reviews at the end of the first term of the placement, in the first half of the summer half term and in the final term of the placement.
- 18 The review report should clearly set out the progress made by the student in relation to the agreed programme(s) of study against the student's transition plan. It is expected that any areas of concern will be highlighted within these reports. All review reports are required to be completed, signed and dated by the Independent Specialist Provider, and received by the student's home local authority no later than four weeks after their completion.
- 19 Local authorities will use the review reports to inform future commissioning decisions. This is also the process by which a change in student support requirements is identified, and, where appropriate, agreed.
- 20 Where students are expected to require a further academic year to complete their current programme(s), review reports must be sent to the student's home local authority no later than 30 May with the exception of extension requests which are set out at paragraph 40 to enable a decision to be made on the continuation of funding and to avoid delays to payments.
- 21 Local authorities may set out the information they require to be included in a student review, which could include:
- student's personal details (name and date of birth)
  - programme start- and end dates
  - confirmation that the student's support needs are still as detailed within the individual student schedule and whether any support or consequential funding changes (increased or decreased) have been identified or agreed. Where a decrease in support levels has not occurred, this should be justified to the local authority by the Independent Specialist Provider
  - input from specialists, for example where students are seen by speech and language therapists, physiotherapists etc.
  - confirmation that the student is still following the programme(s) as outlined on the individual student schedule and any changes are clearly identified

- an outline of achievements and/or progress made towards the objectives identified in the individual student schedule. It is suggested that the review report includes an update on all elements of the student's agreed programme
  - an outline of targets (academic and non-academic) for the forthcoming period of study
  - an appropriate transition plan giving an indication of how transition planning is embedded throughout the duration of the student's programme, paying particularly attention to the final period of the placement
  - an update on how the programme is supporting the student to make his or her transition beyond independent specialist provision.
- 22 Generally, it would not be expected to see transition from one Independent Specialist Provider to another or for further education or training provision beyond that initially commissioned. It is expected that a placement will equip students with the necessary skills and knowledge to allow them to progress beyond independent specialist provision of education or training. Where the student is nearing the end of his or her placement, it is suggested that this update includes opportunities and support for the student to consider alternative provision (further education, higher education, supported employment, voluntary work and so on). It would also be helpful to include opportunities for input and guidance from other agencies (guidance counsellors, social care professionals, medical practitioners, local authority officers and so on).

### **New placements**

- 23 The Independent Specialist Provider should complete (as set out at paragraphs 49-60), sign and forward Annex 6 - TG ('Confirmation of Agreed Provision 2012/13') to the student's home local authority.
- 24 The EFA will release payment to Independent Specialist Providers once the student's home local authority and the Independent Specialist Provider have reached an agreement on funding levels outlined on Annex 6 - TG ('Confirmation of Agreed Provision 2012/13').
- 25 The local authority is responsible for completing the remainder of the Annex 6 - TG, signing and sending it to the appropriate EFA region.
- 26 The EFA will upload the placement information and generate an individual student schedule which will enable payment to be made to the Independent Specialist Provider.
- 27 The individual student schedule will be forwarded securely to the local authority and the Independent Specialist Provider as a record of the agreed placement and to confirm the payment terms between the EFA, on behalf of the local authority, and the Independent Specialist Provider.
- 28 The Independent Specialist Provider is responsible for ensuring that information shown on the individual student schedule is accurate. Any discrepancies should be raised with the student's home local authority within 10 days of receipt. The local authority is then required to update the EFA territory with any inaccuracies, which will enable the details to be amended by the EFA and a revised individual student schedule to be raised and forwarded to the Independent Specialist Provider and local authority.



- 29 If the EFA does not receive notification of inaccuracies, an assumption will be made that the Independent Specialist Provider and student's home local authority consider the information contained within the individual student schedule to be an accurate record of the agreed placement.
- 30 The individual student schedule is an auditable document that completes the terms of the contract for each student between the Independent Specialist Provider and the EFA.

### **Direct Payments**

- 31 The Special Educational Needs (Direct Payments) (Pilot Scheme) Order 2012 ("the Order") came into force on 30 January 2012. It creates a pilot scheme ("the Pilot Scheme") to enable the testing of direct payments by the authorities listed in Schedule 2 to the Order. In determining whether to agree to the direct payment, Independent Specialist Providers will need to consider all relevant circumstances.
- 32 Following agreement to a direct payment (and therefore agreement to transfer appropriate funds from the Independent Specialist Provider to the Local Authority), Independent Specialist Providers will need to complete a revised Annex 6-TG highlighting those elements which will be delivered by the agreed direct payment, specifying the number of hours per week of those elements and the value for each individual element that the Independent Specialist Provider will transfer to the Local Authority (from the funds already provided by the EFA LLDD Placement Budget), in the relevant sections of the Annex 6-TG.
- 33 The steps set out at paragraphs 25 to 30 should then be followed in order that the Local Authority can sign the revised Annex 6-TG and forward to the EFA to enable the issue of a revised individual learner schedule which will specify details of the agreed direct payment value, nature and hours. Independent Specialist Providers and Local Authorities may wish to have these steps in mind at the outset of their discussions prior to their agreement on the direct payment to facilitate swift completion of the process.
- 34 Where a student is in need of support that requires exceptional funding, Independent Specialist Providers will need to complete both a revised Annex 6-TG and an Annex 7-TG highlighting those elements which will be delivered by the agreed direct payment (if applicable) in the sections that refer to direct payments.

### **Placement summary**

- 35 Each EFA territory will send to each Independent Specialist Provider based within its territory a placement summary at the start of the autumn, spring and first half of the summer term. Any inaccuracies on the placement summary will need to be raised with the student's home local authority.

### **In-year changes**

- 36 Following identification of a change in support needs, requests to change a student's level of funding in-year (that is, at any time other than through the review process) are likely only to be considered in exceptional circumstances. The changes must be discussed and agreed with the student's home local authority before amendments are put in place.

- 37 Once changes have been agreed by the student's home local authority, the Independent Specialist Provider is contractually required (schedule 2, clause 1.1 and 5) to complete an amended Annex 6 - TG ('Confirmation of Agreed Provision 2012/13') and forward it to the student's home local authority, together with the appropriate review report, and any other evidence requested by the local authority to support the change.
- 38 It is unlikely that changes will be agreed retrospectively.

### Incident Reporting

- 39 Independent Specialist Providers are contractually required to report to the EFA by email [HSincident.EFA@education.gsi.gov.uk](mailto:HSincident.EFA@education.gsi.gov.uk); and the student's home local authority; of incidents within 72 hours of their occurrence. The information provided should include as a minimum:
- Name of student and provider
  - Date of incident
  - Details of incident
  - Planned action following incident

### Placement extension requests

- 40 It is expected that requests to extend an individual student placement beyond the duration of the programme's original end-date would only be agreed in **exceptional** circumstances.
- 41 Effective transition planning will be embedded within the student programme to ensure there is clear progression at the end of the agreed placement. It is not expected that extension requests will be sought to offer additional time at an Independent Specialist Provider where effective transition planning has not taken place.
- 42 An example of where a placement extension may be considered to be a genuine requirement may include cases where a student has been unable to complete his or her learning aims due to unexpected medical reasons. It is expected that any concerns or problems relating to achievement will be raised in termly reviews and documented within the student's review and progress reports. Contact should be made with the student's home local authority to discuss particular concerns at the earliest opportunity.
- 43 In the best interests of the student, extension requests should be made to the student's home local authority as early as possible before the start of the proposed extension period and no later than the end of the penultimate term of the academic year in which the student's existing placement ends.

## **Destination data**

- 44 The EFA is collecting data on destinations. Independent Specialist Providers are currently completing/submitting the Individual Student Record (ILR), and any collection of data outside of the ILR is an interim measure. Independent Specialist Providers during this interim period are required to complete Annex 10 – TG: Record of Student Destination of this guidance.

## **Attendance reconciliation report**

- 45 To support local authority planning and reconciliation processes and as set out in the contract (schedule 4, clause 2), the EFA territory on behalf of local authorities will annually (in the summer term), send to each Independent Specialist Provider based within its territory an attendance reconciliation report (ARR). Independent Specialist Providers are contractually required (schedule 4, clause 2) to check the details and return a signed copy within 10 working days of receipt, highlighting any changes to the relevant EFA territory. This is an important process as payments may be recovered in the light of any changes to individual student attendance.

## **Data and information transmission**

- 46 The transfer of data and information should be undertaken in accordance with local authorities and EFA data transmission and encryption policies, whilst adhering to schedule 4, clauses 2.1-2.21 of the contract. It will be the responsibility of the Independent Specialist Provider to ensure that personal information is sent securely, whilst observing its legal obligations under the Data Protection Act 1998 and related legislation.
- 47 Personal data and other sensitive information when sent electronically to the EFA must be encrypted using WinZip, and a pass phrase sent separately via an alternative means, for example, by telephone or separate email. Once the intended recipient has confirmed safe receipt of the encrypted email, the pass phrase to open the file will be shared.
- 48 When it is necessary to share information of the type described above by post, it must be sent securely packaged (an envelope within an envelope) and using Royal Mail special delivery service (not Royal Mail recorded delivery) or an equivalent secure delivery service provided by a specialist courier (where the information is trackable, delivered to the intended recipient who will sign to confirm safe receipt and the delivery date and time are specified, ie the day after posting).

# Completion of Annex 6 - TG: Confirmation of Agreed Provision 2012/13

## Contact hours

### Definition

- 49 Annex 6 - TG: Confirmation of Agreed Provision 2012/13 is a key document that details the placement that has been agreed for a student between the local authority and Independent Specialist Provider. In addition, Annex 6 - TG provides the EFA with the minimum level of information that the EFA requires to enable payments to be made to Independent Specialist Providers.
- 50 The funding methodology enables Independent Specialist Providers to quantify the support, in terms of contact hours, being provided to a student in a typical week of the agreed placement. A typical week is defined as one in which normal teaching and support practices are maintained. It can be argued that where provision is affected by a one-off incident, support for the student involved may be higher than normal, but this is expected to balance out over time.
- 51 Contact hours can only be provided by staff who are appropriately qualified and experienced, or whose job description includes responsibilities for them to undertake a specific service that takes place with the student. For example:

#### Acceptable

- residential support worker providing support to students during an independent living skills session, supervised by a tutor
- tutor supporting a student to attend an evening activity.

#### Not acceptable

- residential support worker, without the appropriate qualifications or training, providing a specific therapy session
- tutor, without appropriate medical qualifications or training, administering medical support to a student
- nurse, without educational qualifications or training, providing a mathematics tutorial to a student
- non-direct student contact, eg back office or administrative functions.

- 52 Contact hours can be provided to students by staff at any time that it is identified that the student requires support. It is envisaged that contact hours will generally be through classroom contact or contact within residential accommodation. Classroom contact includes any environment where education is being delivered. However, other areas may also have key contributors to a student's weekly contact hours.

53 However, it is not always the case that each member of a group of students receiving contact time from a number of staff receives equal contact time. A particular student within the group may have more time devoted to their needs by the staff present.

**Example scenario**

- Six students are being taught in a classroom by three staff members for one hour.
- Students A and B have specific needs that also require 50 per cent of the time of one additional member of staff.
- Student C also receives support from one additional member of staff.

54 Table 1 shows how the contact time of the three staff members in the scenario above has been allocated to the six students. The check is that contact hours, received by the six students, total three hours.

**Table 1: Example scenario showing total contact hours**

|                    | Staff member |         |         |             |
|--------------------|--------------|---------|---------|-------------|
| Student            | Staff 1      | Staff 2 | Staff 3 | Total hours |
| A                  | 10 mins      | 30 mins |         | 40 mins     |
| B                  | 10 mins      | 30 mins |         | 40 mins     |
| C                  | 10 mins      |         | 60 mins | 70 mins     |
| D                  | 10 mins      |         |         | 10 mins     |
| E                  | 10 mins      |         |         | 10 mins     |
| F                  | 10 mins      |         |         | 10 mins     |
| <b>Total hours</b> | 1 hour       | 1 hour  | 1 hour  | 3 hours     |

**Contact hour bands**

55 Contact hours are then further separated into two key areas:

- education and independent living skills
- care and therapy.

56 The appropriate classification of the contact time will depend on the specific needs and circumstances of the student. However, as a general guide, any session within education and independent living skills must have definable and measurable learning objectives within the session objectives.

- 57 The ranges of contact hours allowed for within each funding band are shown in Annex 1 - TG ('Contact Hour Ranges').

### **Methodology**

- 58 A contact hour is defined as an equivalent of one hour of direct contact by one member of staff with a single student. For example, a contact hour is equal to one hour of one-to-one support, and an equivalent hour is two hours of support by one staff member to two students (that is, a ratio of 1:2).
- 59 For the purpose of calculating contact hours, it is not necessary to consider:
- hourly rate
  - annual salary
  - benefits (annual leave, pension, sick leave or sick pay)
  - contractual terms of the staff member undertaking direct contact with a single student.

### **Staff training**

- 60 Although this may be related to a staff member providing specific contact provision in the future, staff training costs and time have been assessed as part of the overarching overheads and are, therefore, already included within overhead costs. Time for staff training cannot be included in contact hours.

# Record-keeping and Audit Trail

- 61 It is a contractual obligation (schedule 2, clause 6 and schedule 3, clause 2) to maintain adequate records that detail actual contact hours delivered. In the absence of such records or evidence, the EFA may seek to implement funding recovery arrangements. Independent Specialist Providers may find it helpful to share methodologies with each other.
- 62 Demonstration of specific contact time should be evidenced by notes that are prepared at the time or shortly after the provision or support has been delivered. The notes must be signed and dated by the author and filed within the respective student's care plan or education records. The records are expected to demonstrate an accurate picture of the current and previous support in place for the student. The record will need to match with the provision and support (including equipment) outlined on the individual student schedule within the funding period specified. In addition, the name of an appropriate person at the Independent Specialist Provider should be given, who can provide further information, if necessary, to the EFA.
- 63 Evidence such as timetables, attendance records, session records, staff rotas and shift records, care plans, and review reports by tutors are expected to verify the contact-hour records for each student and should be retained by the Independent Specialist Provider as per contractual requirements (schedule 3, clause 2). Evidence outside the daily timetable should be maintained to verify contact time given to students. The evidence should demonstrate staff to student ratios in residential houses during mornings, evenings and weekends. Records of actual support and intervention for each student should support the average contact time that is claimed on Annex 6 - TG ('Confirmation of Agreed Provision 2012/13') and shown on the individual student schedule. As part of the regular cycle of visits, the EFA assurance and financial monitoring team will randomly select a sample of students for review at an Independent Specialist Provider to test adherence to the EFA contract terms including the accuracy of individual student schedules. Independent Specialist Providers' internal control processes for defining and monitoring the support provided to students will also be viewed.
- 64 Evidence should be retained by the Independent Specialist Provider in relation to any equipment purchased to enable a student to fully participate in their programme of education and training. Where evidence is not available or purchases are made for non education and training related equipment, the EFA may seek to implement funding recovery arrangements.
- 65 If Independent Specialist Providers are required to submit additional information to the assurance and financial monitoring team following an audit visit, this should be undertaken in accordance with the EFA's data transmission and encryption policies (see paragraphs 46-48).

# Profiles

- 66 The staffing profile for an Independent Specialist Provider will be determined primarily by the needs of its students. Student-facing staff will be supported by administrative and support staff, the costs of which have been built into the funding methodology.
- 67 Independent Specialist Providers may undertake, at least annually, a logic test that checks the total number of staff contact hours claimed for the entire student population against the total contact hours that are available to be provided by student-facing staff at the Independent Specialist Provider.
- 68 Information in respect of effective practice, including contact time and methods of collecting data, is available in Annex 3 - TG ('Effective Practice') of this guidance.



# Clarification of Specific Issues and Variations in Practice

- 69 The provision of services within Independent Specialist Providers is diverse and there are many different models in use. This section attempts to identify some of the specific issues and variations that may be encountered.

## **Students placed at Independent Specialist Providers who attend general further education colleges or other education providers**

- 70 Staff who accompany students whilst they are attending other providers that deliver a sub-contracted element of the student's agreed programme should be included in the appropriate category, namely either 'education and independent living skills' or 'care and therapy' as detailed in Annex 6 -TG ('Confirmation of Agreed Provision 2012/13'). If staff interact with students during the sessions, this contact time should also be recorded under one of these categories.
- 71 The provider retains discretion in classifying the type of provision its staff provides, as it will understand the nature of the service level agreement that is in place which is specific to the student and his or her circumstances. The EFA will want to see evidence and supporting data and may challenge the legitimacy of such costs if claimed in the absence of evidence or data.
- 72 Contact time may also be provided by the staff at the sub-contracted provider. If the Independent Specialist Provider where the student is placed is paying for this provision, then the amount of time should be identified and included within the student's contact-hour records.
- 73 If the Independent Specialist Provider does not pay for the provision, no contact time from the sub-contracted provider's staff should be included.

## **Staffing**

- 74 Contact hours can only be provided by staff that are appropriately qualified and/or experienced, as detailed in paragraphs 51-60 of this guidance. Examples are given below of various different scenarios.
- 75 The examples provided are not exhaustive and therefore may omit certain situations that are unique to the Independent Specialist Provider. The overriding rule for these anomalies is that if there is direct contact provision, or a justifiable case for inclusion, Independent Specialist Providers must ensure that it is fully documented so that local authorities can make an assessment of the impact that this support has on the student.

## Night staff

- 76 It is assumed that a proportion of the time worked by night staff will be contact time. However, it is viewed that this element will not be typical, or consistent, each week. It is advised that records are obtained for each house identifying contact-hour provision. However, a discussion/assumptions paper is likely to be required to make adjustments for the students receiving this contact time so that it reflects the average provision over the year (maximum 38 weeks).
- 77 Contact hours for night staff should only include direct contact hours, and not the number of staff and hours worked in relation to waking night duty (waking night duty is not a general apportionment of staff to student ratio). Examples of legitimate contact hours in such circumstances may include those that are required to make necessary interventions to ensure the safety of students is maintained, for example, to administer medication, or turn students during the night.
- 78 The data to be collected comprises:
- details of contact time provided by night staff to the student for each placement week and residential house
  - night staff rotas for each residential house for each placement week
  - discussion/assumptions paper dealing with averaging of provision over the summer, autumn and spring terms.

## Houseparents

- 79 Contact time provided by houseparents can be recorded as long as the support provided is evidenced. The evidence must demonstrate that the student requires the level of support being claimed, and that such support has in fact been provided, rather than the level of support that is simply available.

## Volunteers

- 80 Volunteers should be included if they are contracted to undertake formalised working hours and responsibilities similar to those of fully remunerated staff (see paragraphs 51–60 and Annex 1 – TG, ‘Contact Hour Ranges’ of this guidance). If the use of volunteers is informal and they have no obligation to provide services to the students, they should not be included.
- 81 Where a volunteer is contracted to undertake formalised working hours and responsibilities, and is providing support to a student for whom exceptional funding is required, the detailed assessment of support must clearly specify all areas that are provided by the volunteer, and the required evidence prepared and retained (see paragraphs 51–60 of this guidance).

## Management and administrative staff

- 82 Management staff may be able to demonstrate, and evidence as required, that a small percentage of their time is spent in direct contact with students, or they may teach a few sessions or conduct a number of tutorials or reviews. This contact time is acceptable. However, if these contact hours are not regular (at least weekly) or are undertaken in only one term, they need to be adjusted for

the overall provision in the year and amended to show the contact hours for one 'typical' week.

- 83 Some administrative staff are likely to have contact with students, but unless this is included in their job description and entails education and independent living skills or care and therapy (with all the associated and required safeguards as set out at paragraphs 49-60), it cannot be counted as contact time because their time and costs have been included as part of overarching overheads. A valid reason for including contact time would be, for example, direct contact in supporting a student on work placement within their office.

#### **Catering staff**

- 84 Catering staff certainly have contact with students but, as with administrative staff, the only allowable contact time would be for direct contact which entails education and independent living skills or care and therapies (with all the associated and required safeguards), such as overseeing a student undertaking work experience in their environment. Other contact time would be disallowed on the basis that it is not specific to students and has been accounted for within the overarching overheads. The definition of catering staff does not include, for example, members of staff providing specific contact in delivering care needs for students such as dealing with feeding tubes or other support for feeding requirements.

#### **Technical staff**

- 85 Specific contact time, such as instructing students on how to use equipment, is allowable. However, if these contact hours are not regular, or are undertaken in only one term, they need to be adjusted for the overall provision in the year and should show the contact hours for one 'typical' week.

#### **Maintenance, cleaning and/or household staff**

- 86 Maintenance, cleaning and/or household staff are all likely to have a degree of contact with students. As with administrative staff, the only allowable contact time would be for direct contact that entails education and independent living skills or care and therapies (with all the associated and required safeguards), such as overseeing a student undertaking work experience in their environment. Other contact time would be disallowed on the basis that it is not specific to students and costs have been included as part of overarching overheads.
- 87 If any other members of staff provide contact time to students, this should be recorded and can be justified and evidenced as relating to education and independent living skills or care and therapies.

#### **Equipment**

- 88 It is expected that equipment in general is accounted for within the Independent Specialist Provider's infrastructure, and thus the costs are included within overarching overheads. However, it is recognised that for some students the Independent Specialist Provider will find it necessary to purchase additional equipment to meet the individual student's specific needs to enable him or her to fully participate in learning.

- 89 Where a piece of equipment:
- will follow them in their onward progression when the placement ends
  - is so highly specialised that it is purchased solely for use by an individual student
  - has no future use to any other student
- it may be possible to request exceptional funding to support the cost of that specific piece of equipment in the circumstances listed above.
- 90 If additional equipment is identified for the student to participate in learning, it is expected that the equipment will be in place at the start of the placement.
- 91 If a student's needs change and the equipment is no longer required the Independent Specialist Provider must submit a revised Annex 7 – TG to the local authority, to enable funds to be recovered.
- 92 Delays in putting essential equipment in place are not justification for extending a student's programme.
- 93 Funding requests should not be submitted for any equipment that will become part of the Independent Specialist Provider's infrastructure or is not for education related purposes, such as tracking for hoists, shower chairs or hearing loops etc. When completing Annex 7 -TG ('Exceptional Funding Request Summary Form') of this guidance, Independent Specialist Providers should clearly list:
- the equipment that a student requires
  - the aspects of that equipment the student will be providing themselves (for example, that previously used in the home or in another learning environment)
  - where alternative sources of funding will provide for particular pieces of equipment (for example, primary care trusts)
  - where funding is sought from other agencies, eg social care, health authority.
- 94 As part of its role to secure proper use of public funds, the EFA would expect an Independent Specialist Provider to have explored alternative equipment options and properly researched prices before purchasing equipment for a student. The Independent Specialist Provider should also be able to evidence this research. Where a student did not require the identified specialist equipment in his or her previous placement, the Independent Specialist Provider should justify this additional cost as part of the information submitted to the home student's local authority. It would not be expected that an application to fund a piece of equipment would be forwarded to a local authority part-way through a student's programme without robust supporting evidence and reviews to demonstrate the student's needs and to identify why the equipment is deemed essential.
- 95 Funding provided to purchase individual items of equipment will be reviewed as part of the EFA audit processes and any equipment not deemed to be education related will be subject to funding recovery as appropriate.

## Asset acquisition

- 96 If the EFA funds an Independent Specialist Provider for a student and the placement includes the funding of assets, then the EFA retains an interest in those assets. This interest is primarily a financial interest, proportionate to the EFA's funding of the asset. However, as a result of this financial interest, the EFA also reserves an interest in the disposal of such assets. The EFA territory will retain a record of these assets in order to ensure that its interests are not prejudiced. Further information can be found in *Funding Assets for Other Organisations* (LSC, 2006; references are in Annex 11 - TG of this guidance).

## Annex 1 - TG: Contact Hour Ranges

- 1 In the tables below, 'expected hours' are a benchmark figure for the split between the two main categories. 'Total volume' is an absolute minimum level that must be adhered to. Flexibility will exist between the two main categories.

### Day students

| Band | Education and independent living skills: expected hrs/wk | Care and therapy: expected hrs/wk | Total volume (minimum hrs/wk) |
|------|--|-----------------------------------|-------------------------------|
| D    | 4–6  | 0–1                               | 5                             |
| E    | 6–8  | 0–1                               | 7                             |
| F    | 8–10   | 0–2                               | 9                             |
| G    | 11–15  | 0–3                               | 14                            |
| H    | 11–21  | 0–13                              | 20 (maximum 30)*              |

*\*This is the maximum average weekly hours funded within the band; more hours would ordinarily qualify for exceptional support.*

### Residential students

| Band | Education and independent living skills: expected hrs/wk | Care and therapy: expected hrs/wk | Total volume (minimum hrs/wk) |
|------|--|-----------------------------------|-------------------------------|
| D    | 7–10   | 4–6                               | 13                            |
| E    | 8–12   | 5–7                               | 15                            |
| F    | 10–20  | 5–10                              | 22                            |
| G    | 14–20  | 10–14                             | 31                            |
| H    | 18–29  | 14–25                             | 44 (maximum 50)*              |

*\*This is the maximum average weekly hours funded within the band; more hours would ordinarily qualify for exceptional support.*

## Annex 2 - TG: Support Bands: Rates for 2012/13

- 1 This annex gives the funding approach that will be used for the 2012/13 academic for all students whose placement have been agreed by the student's home local authority.

| <b>Band</b> | <b>Day</b> | <b>Residential</b> |
|-------------|------------|--------------------|
| D           | £13,186    | £26,689            |
| E           | £17,841    | £36,249            |
| F           | £22,495    | £42,303            |
| G           | £32,967    | £49,069            |
| H           | £45,247    | £68,829            |

## Annex 3 - TG: Effective Practice

### Example areas of contact and methods of data collection

- 1 The process of accurately identifying the contact hours for each student may be simplified by dividing the student's day into areas where support is provided by different staff. The contact hours can then be collected either through specific monitoring and recording of the student on a 'typical' week or by using specialist data already available and specialist experience of the student's support needs.
- 2 The examples below follow students on both residential and day placements through their week and details how to identify and capture contact data. **Note that in all the examples, the times given are assumed and are given as a guide only.**

### 7am-9am: breakfast at home (note these are assumed times)

#### Residential students

- 3 During this time, the students are having their breakfast, and getting washed, dressed and ready for the day. They may also take transport to the Independent Specialist Provider for which residential staff can escort them. In effect there are a set number of possible contact hours provided by the residential staff to the students in a specific house during this period.
- 4 The most straightforward way of getting an accurate picture of the contact time provided to these students is to identify areas of exception (such as one-to-one contact time) which can be directly attributed to a specific student. The remaining contact time provided by the staff will be apportioned over the specific house's entire EFA-contracted student population using an agreed method. The method of apportionment should be discussed with an appropriately experienced staff member (such as the house manager) to ensure that the method is a fair reflection of the actual provision provided.
- 5 As the nature of residential support can vary from week to week for each student, it is advised that the exceptions are a fair reflection of a typical week and the average over the entire year (see paragraph 50 of this guidance).
- 6 Data to be collected when evidencing a student's actual provision is:
  - house lists
  - residential staff rotas for each placement week
  - assumption of the percentage of contact time provided by residential staff (this needs to identify times where residential staff are undertaking administrative duties)
  - list of exceptions agreed by the house manager for each day (tasks that may add up over the day to more than 15 minutes and that are at a ratio of one staff member to one student or higher – for example, two staff members to one student). The exceptions should detail students receiving exceptional support, timings of support (start, finish and duration), type of support and the number of staff providing it.



- 7 Data to be collected if using management experience and assumptions is:
- house lists
  - residential staff rotas for each placement week
  - assumption of percentage of contact time provided by residential staff (this needs to identify times where residential staff are undertaking administrative duties)
  - assumption of percentage weighting of contact time that a student receives from the residential staff (using a student, with average needs from his or her cohort as a base and assessing other students as a percentage above or below this to build up a picture of how to allocate the contact time provided)
  - student care plans to support the weighting assumptions made by management.

### Day students

- 8 It is viewed that day students do not arrive until the timetabled education sessions commence; however this may not always be the case and if day students receive contact time before 9am, a method for capturing this information should be used.

### 9am-4pm: timetabled education sessions (note these are assumed times)

#### Day or residential students

- 9 It is viewed that information obtainable from individual student timetables or the Independent Specialist Provider's master timetable will provide a detailed understanding of the following: when contact time occurs, other students that are present (thus diluting the contact time available) and the staff member leading the session. Timetabled information may not always show the presence of teaching assistants, so it is recommended that each session leader completes the session record at Annex 4 - TG ('Session Record Form') of this guidance, which allows the capture of data including: students present, staff members present, timing of session, and more importantly the ratio of contact time provided by a staff member to the students present (thus it picks up the one-to-one contact time and so on). This will also act as a cross-check on the student timetables.

- 10 An example of a completed session record is shown in Table 3.1.

**Table 3.1: Example of a completed session record**

| Activity       | Literacy             |          |         |                               |
|----------------|----------------------|----------|---------|-------------------------------|
| Day            | Monday               | 9am-10am |         |                               |
| Room           | 1                    |          |         |                               |
|                | <b>Staff members</b> |          |         |                               |
| <b>Student</b> | X                    | Y        | Z       | Comments                      |
| <b>A</b>       | 10 mins              | 30 mins  |         |                               |
| <b>B</b>       | 5 mins               |          |         | Left early for physio session |
| <b>C</b>       | 10 mins              | 30 mins  |         |                               |
| <b>D</b>       | 10 mins              |          |         |                               |
| <b>E</b>       | 10 mins              |          | 60 mins |                               |
| <b>F</b>       | 10 mins              |          |         |                               |

- 11 In the example shown in Table 3.1, staff member X provides even contact time to all students (although adjusted as student B leaves the session halfway through), staff member Y is attached to students A and C only due to their needs and similarly staff member Z is attached to high-needs student E.
- 12 Data to be collected if recording and evidencing a student's actual provision is:
- individual student timetables
  - Independent Specialist Provider master timetable and teaching assistants' timetables (if available)
  - session records for each timetabled session for each placement week, detailing actual provision to students.
- 13 Data to be collected if using management assumptions and experience is:
- individual student timetables
  - Independent Specialist Provider's master timetable and teaching assistants' timetables
  - session records for each timetabled session to be completed using session leader's experience of usual provision to students.

### **9am-4pm: timetabled therapy sessions (note these are assumed times)**

#### **Day or residential students**

- 14 It is viewed that as this provision of contact time may be timetabled, it should follow the same methodology as the timetabled education sessions. A more distinct problem identified with this, however, is that students may not receive this provision at a similar level over each of the Independent Specialist Provider's terms. If we just look at the current term, it may overstate the current provision to students receiving therapies, and understate therapies received by other students during other terms. A discussion/assumptions paper to assess this issue should be produced by the appropriate head of department responsible for therapy. When assessing the provision of therapy received by the student population, it should be spread over the year and an average for a typical week apportioned to students receiving therapy. This documentation should also identify where the Independent Specialist Provider has assigned the therapy sessions (either within 'education and independent living skills', or 'care and therapies').
- 15 Data to be collected if recording and evidencing a student's actual provision is:
- overall therapy timetable for each term
  - session attendance records for the current term's provision for each placement week
  - discussion/assumptions paper dealing with recording provision over the summer, autumn and spring terms.
- 16 Data to be collected if using management assumptions and experience is:
- overall therapy timetable for each term
  - attendance records for each timetabled session to be completed using the session leader's experience of the usual delivery of provision to students
  - discussion/assumptions paper dealing with recording provision over the summer, autumn and spring terms.

- 17 Please note that session content information will not, under any circumstances, be requested by the EFA as this breaches client confidentiality.

### **Lunch and breaks (various times between 9am and 4pm)**

#### **Day or residential students**

- 18 It is assumed that students can move between different areas within the Independent Specialist Provider during the lunch or break periods, so recording and evidencing the entire student population is very difficult for these periods. It is suggested that the total staffing that supervises each lunch and break period on a daily basis is recorded to ascertain a total number of lunch and break contact hours. If certain students are provided with direct one-to-one contact from a specific staff member, this is also recorded and would be subtracted from the total lunch or break contact hours. The remaining total number of contact hours provided to the remaining student population during lunch and breaks could then be apportioned using an agreed method that provides a fair reflection of the actual provision to the students.
- 19 Data to be collected is:
- times of breaks and lunch each day
  - number of students on-site at each break (exclude students who have gone back to their house – this provision should be covered by residential staff data) at each break
  - staff providing lunch or break contact time outside the student's residence
  - a list of exceptions agreed by an appropriate staff member for each day (tasks that may add up over the day to more than 15 minutes and are at a ratio of one staff member to one student or higher – for example two staff members to one student). The exceptions should detail students receiving exceptional support, timings of support (start, finish and duration), type of support and the number of staff providing it (it may not always be possible to identify actual staff names).

### **Medical contact time (various times throughout the day)**

#### **Day or residential students**

- 20 For some students, there may be no clearly defined timetabled records of this provision, only access records, and therefore it would be most accurate for medical staff such as doctors, nurses or healthcare assistants to record their activities for a week. The advised method of recording activities would be by way of maintaining a diary breaking the day down into 15-minute blocks. Each block should describe the task being undertaken and when applicable the students involved. Every staff member dealing with medical provision should undertake this recording of information. It may not be practical to request this requirement of certain staff in the medical team and if this is the case, a paper justifying contact time to specific students should be produced with adequate evidence to support it.
- 21 The alternative approach is the calculation of total contact hours provided by those staff members from hours worked and experience of the proportion spent with students. Total contact hours should then be appropriately allocated over the student population using the experience of the specific staff members involved in the provision. Records will be required to support the assumptions made.

- 22 As with therapy provision, staff time may be allocated to specific students during certain periods and may not reflect the actual average provision throughout the year. A discussion/assumptions paper to assess this issue should be produced by an appropriate staff member.
- 23 Data to be collected if recording and evidencing a student's actual provision is:
- medical staff diaries detailing contact time provided for each placement week
  - assumption of percentage of contact time provided by medical staff who have not completed diaries (this needs to identify times where medical staff are undertaking administrative duties)
  - discussion/assumptions paper dealing with allocation of provision over terms.
- 24 Data to be collected if using management assumptions and experience is:
- assumption of percentage of contact time provided by medical staff (this needs to identify times where medical staff are undertaking administrative duties)
  - assumption of percentage weighting of contact time that a student receives from medical staff (using the student with average needs as the base, assess the other students as a percentage above or below this to build up a picture of how to allocate the contact time provided)
  - discussion/assumptions paper dealing with the allocation of provision over terms.
- 25 As with therapy, session content information will not, under any circumstances, be requested by the EFA as this breaches client confidentiality.

#### **4pm-11pm: evening at home (note that times may vary)**

##### **Residential students**

- 26 It is viewed that during this time, students are having their evening meal, undertaking evening activities, getting washed and ready for bed, or socialising, relaxing and so on. Unlike the 'breakfast at home' period (see paragraphs 3-8 of this annex), it is likely that students may also be attending activities where contact time is being recorded separately, such as extra-curricular activities. Identification of when the students are at home and which staff members are supporting them is needed. It may be that residential staff have taken some students out for an evening activity and some students remain with a reduced staffing provision. These movements of staff and students should be recorded so the contact hours provided by the residential staff to the student population in a specific house for this period of time can be calculated.
- 27 As with the 'breakfast at home' period, the most straightforward way of getting an accurate picture of the contact time provided to these students is to identify areas of exception (such as one-to-one contact time) which can be directly attributed to a student. The difference is that there will also be the removal of staff time due to their providing extra-curricular activities and the removal of students for set times due to their attending such activities. The remaining contact time provided by the staff will be apportioned over the specific house's entire student population using an agreed method. The method of apportionment should be discussed with an appropriately experienced staff member (such as the house manager) to ensure that the method is a fair reflection of the actual provision provided.

- 28 As the nature of residential support can vary significantly from week to week for each student, it is advisable that the exceptions are a fair reflection of a typical week and the average over the entire year.
- 29 Data to be collected is:
- house lists
  - residential staff rotas for each placement week
  - assumption of the percentage of contact time provided by residential staff (this needs to identify times where residential staff are undertaking administrative duties)
  - list of exceptions agreed by the house manager for each day (tasks that may add up over the day to more than 15 minutes and are at a ratio of one staff member to one student or higher - for example two staff members to one student). The exceptions should detail students receiving exceptional support, timings of support (start, finish and duration), type of support and the number of staff providing it
  - list of exceptions agreed by the house manager for each day in respect of students and staff attending extra-curricular activities. The exceptions should detail the timings and the absences for both the staff and students and include the reason for the absence.

### **Day students**

- 30 It is assumed that day students do not receive any provision during the evenings from residential staff. If this is not the case, house managers should record the provision provided by their staff to day students to ensure an accurate assessment of hours is compiled, and the appropriate funding band recorded.

### **4pm onwards: extra-curricular and other activities**

#### **Day or residential students**

- 31 Evidence should be obtained for each week of the placement to support any activities provided to the students after 4pm. The evidence should be collected by the activity leader and must include the students attending the activity, the timings of the activity and staff members providing the activity. Any one-to-one contact time provided to specific students should also be detailed.
- 32 Data to be collected is:
- activity records detailing time of activity and staff and students present for each placement week
  - list of exceptions such as one-to-one contact time provided to specific students.

### **Weekends**

- 33 With the exclusion of day students, support bands are calculated on the basis of a seven-day residency.

#### **Residential students**

- 34 It is assumed that only the residential staff will provide contact time at the weekends. The same method as 'breakfast at home' (paragraphs 3-8 of this annex) and 'evening at home' (paragraphs 26-30 of this annex) should be used to identify the contact hours provision for each student. It has been assumed that staffing levels are required to be maintained for full house provision even if students are away for the weekend and therefore a dilution of the actual contact hours provided will need to be discussed.

- 35 If an Independent Specialist Provider has a standard weekend policy, for example where students are expected to return home every third week, then a minimum level of staff would be expected to provide adequate cover for the students remaining in residence. This would also need to be reflected in any averaging out of support across a 'typical' week for each student.
- 36 Data to be collected is:
- house lists
  - residential staff rotas for each student placement week
  - assumption of percentage of contact time provided by residential staff (this needs to identify times where residential staff are undertaking administrative duties that are excluded from contact hours)
  - list of exceptions agreed by the house manager for each day (tasks that may add up over the day to more than 15 minutes and are at a ratio of one staff member to one student or higher – for example, two staff members to one student). The exceptions should detail students receiving exceptional support, timings of support (start, finish and duration), type of support and the number of staff providing it.

### **Day students**

- 37 It is assumed that day students do not receive any provision during the weekend. If this is not the case, house managers should record the provision provided by their staff to day students as an exception.
- 38 All of the above examples provide a method for capturing the contact hours for each of the students receiving the respective provision of support. The Independent Specialist Provider will also be responsible for interpreting the data so that a final record for each student can be produced in which there is a breakdown of students' weekly contact time over 'education and independent living skills' and 'care and therapy' and also by how the contact hours have been produced. An example of this is provided at Annex 5 - TG ('Summary of Results: Worked Example') of this guidance.



## Annex 5 - TG: Summary of Results: Worked Example

| Tracked   |                     | Tracked  |                     | Management assumption                             | Management assumption                                |   |   |       |
|---|---------------------|--|---------------------|---|--|---|---|-------|
| One-to-one<br>Exceptions and staff<br>rotas                                     |                     | Session records  |                     | Staff contracted<br>hours and<br>assumption paper | Staff contracted<br>hours and<br>assumption<br>paper |   |   |       |
| <i>Residential<br/>time</i><br>Education<br>and<br>independent<br>living skills | Care and<br>therapy | <i>Educational<br/>time</i><br>Education and<br>independent<br>living skills | Care and<br>therapy | <i>Therapy time</i><br>Care and therapy           | <i>Medical time</i><br>Care and<br>therapy           | <i>Total contact<br/>hours</i><br>Education and<br>independent<br>living skills | <i>Total contact<br/>hours</i><br>Care and<br>therapy | TOTAL |
| 3   | 8                   | 12   | 4                   | 4   | 2  | 15  | 18  | 33    |
| 2   | 14                  | 14   | 6                   | 6   | 6  | 16  | 32  | 48    |
| 0   | 0                   | 12   | 0                   | 4   | 2  | 12  | 6   | 18    |



# Annex 6 - TG: Confirmation of Agreed Provision 2012/13

## Confidential

- 1 This annex is to be completed by the Independent Specialist Provider and the student's home local authority to enable the EFA to raise an individual student schedule.
- 2 This annex should include **all** contact hours delivered to the student, including exceptional funding hours if applicable (which will also be recorded separately on the Annex 7 – TG).
- 3 Direct payment costs, hours and nature of the agreed payment will need to be provided where applicable.

### Note for Independent Specialist Providers

The Independent Specialist Provider is required to complete: sections 1.1 to 1.8, section 2.0, section 4.0, section 5.0 and sections 6.1 to 6.4 and to submit the completed form to the student's home local authority. The completion of this annex by the Independent Specialist Provider is a contractual requirement (schedule 2, clause 1.1). This form must be submitted in accordance with EFA data transmission and encryption policies as detailed at paragraphs 46-48 of this document. **It is the responsibility of the Independent Specialist Provider to ensure that the student's home local authority has received the documentation.**

### Note for local authorities

The local authority is required to complete: sections 1.9 to 1.13, section 3 and sections 6.5 to 6.8 and to return the completed form to the relevant EFA territory to ensure that agreed placements can be entered on the EFA system, to trigger payment to the Independent Specialist Provider. The information contained within the annex will be used by the EFA to raise an individual student schedule that is an auditable document and forms part of the contract between the EFA and the Independent Specialist Provider.

## 1.0 Student details

|  |   |                          |
|--|---|--------------------------|
| 1.1 Student's name ( <i>please print</i> ):          |   |                          |
| 1.2 Date of birth:                                   | /   | /                        |
| 1.3 Address and postcode:                            |   |                          |
| 1.4 Nature of disability and/or learning difficulty: | Acquired brain injury                     | <input type="checkbox"/> |
|  | Autistic spectrum disorder                | <input type="checkbox"/> |
|  | Communication difficulty                  | <input type="checkbox"/> |
|  | Emotional/behavioural disorder            | <input type="checkbox"/> |
|  | Epilepsy                                  | <input type="checkbox"/> |
|  | Hearing impairment                        | <input type="checkbox"/> |
|  | Medical condition                         | <input type="checkbox"/> |
|  | Mobility difficulty (non-wheelchair user) | <input type="checkbox"/> |
|  | Mobility difficulty (wheelchair user)     | <input type="checkbox"/> |
|  | Moderate learning difficulty              | <input type="checkbox"/> |
|  | Profound and multiple learning difficulty | <input type="checkbox"/> |
|  | Severe learning difficulty                | <input type="checkbox"/> |
|  | Visual impairment                         | <input type="checkbox"/> |

1.5 Other (please give details):

1.6 Further comments on disability (please give details):

1.7 Ethnicity code (insert appropriate code from the list at the end of this annex):

1.8 Gender

1.9 Parent or carer name:

1.10 Address and postcode (if different from above):

1.11 Current or most recent provider (prior status):

- Long-term care
- Mainstream education
- Specialist college
- Specialist school
- Unemployed
- Employed
- Other
- Not known/not provided

1.12 Student's highest educational achievement to date (prior attainment level):

- Entry Level
- Other qualification below Level 1
- Level 1
- Level 2
- Level 3
- Level 4
- Level 5
- Other qualification level not known
- Not known
- No qualifications

1.13 Statement of special educational needs:

- Yes  No  Unknown

1.14 Student Difficulty Assessment

- Yes  No  Unknown

## 2.0 Independent Specialist Provider details

|  |   |   |  |
|--|---|---|--|
| 2.1 Name of provider ( <i>please print</i> ):    |   |   |  |
| 2.2 Address and postcode:                        |   |   |  |
| 2.3 Contact name:                                |   |   |  |
| 2.4 Telephone number:                            |   |   |  |
| 2.5 Email address:                               |   |   |  |
| 2.6 Type of placement (please tick):             | Day <input type="checkbox"/>                        | Residential <input type="checkbox"/>        |  |
|  | New Student <input type="checkbox"/>                | Continuing student <input type="checkbox"/> |  |
|  | Mainstream sub-contacting* <input type="checkbox"/> |   |  |
| * Name of subcontracted provider(s)              |   |   |  |
| 2.7 Programme start date:                        | /   | /   |  |
| 2.8 Programme end date:                          | /   | /   |  |
| <b>Funding will be agreed on an annual basis</b> |   |   |  |

## 3.0 Other Agency funding and direct payments

|   |  |  |  |
|---|--|--|--|
| 3.1 Amount agreed (inclusive of direct payments): |  |  |  |
| 3.2 Academic year:                                |  |  |  |
| 3.3 Agency/agencies providing funding:            |  |  |  |
| 3.4 Contact name(s) ( <i>please print</i> ):      |  |  |  |
| 3.5 Telephone number (s):                         |  |  |  |

#### 4.0 Proposed programme details (including proposals for delivery by another provider)

| Accredited<br>(Yes/No) | Programme | Awarding<br>Body | Level | Start date | Expected<br>end date | Learning aim<br>reference (LAR) |
|------------------------|-----------|------------------|-------|------------|----------------------|---------------------------------|
|                        |           |                  |       |            |                      |                                 |

## 5.0 Rationale

**Note:** To include **all** contact hours including exceptional funding hours if applicable.

| <b>Tuition/independent living skills</b>  |  |  |                              |
|---|--|--|------------------------------|
| Total number of weekly hours  |  |  |                              |
| <b>Activity</b>   | <b>Number of hours per week required</b><br><i>(Please state the number of hours required for each tuition/ independent living skills activity.)</i> | <i>Number of hours per week required as direct payment</i> | <b>Direct Payment Amount</b> |
| Education enabler (including tutorial support and teaching assistant):  |  |  | £                            |
| Education delivery (tutor):   |  |  | £                            |
| Independence:   |  |  | £                            |
| Delivery of social, creative and leisure activities:  |  |  | £                            |
| Other (please give details):  |  |  | £                            |
| Any other supporting comments:  |  |  |                              |
| <b>Care and therapy</b>   |  |  |                              |
| Total number of weekly hours  |  |  |                              |
| <b>Type of therapy or care</b>  | <b>Number of hours per week required</b><br><i>(Please state the number of hours required for each type of therapy or care.)</i>                     | <i>Number of hours per week required as direct payment</i> | <b>Direct Payment Amount</b> |
| Support from doctor or other medical specialist:  |  |  | £                            |
| Nursing support:  |  |  | £                            |
| Personal care:  |  |  | £                            |
| Support with personal activities of daily living skills:  |  |  | £                            |
| Physiotherapy:  |  |  | £                            |
| Counselling:  |  |  | £                            |
| Emotional support:  |  |  | £                            |
| Behavioural support:  |  |  | £                            |
| Speech and language therapy:  |  |  | £                            |
| Hydrotherapy:   |  |  | £                            |
| Intervention for student safety:  |  |  | £                            |
| Other (please give details):  |  |  | £                            |
| Any other supporting comments:  |  |  | £                            |
| <b>Equipment</b>  |  |  |                              |
| Please outline the student's equipment needs, detailing for which items funding is sought <i>(please use separate sheet if necessary)</i> :       |  |  |                              |
| Cost of Item through Matrix   | £  | Cost of Item through Direct Payment                        | £                            |
| <input type="checkbox"/> Alternative equipment options have been fully explored as detailed at paragraph 90 of this guidance <i>(please tick)</i> |  |  |                              |

| Summary   |   |
|---|---|
| Total number of hours per week:                           |   |
| Number of weeks to receive EFA funding (maximum 38 weeks) |   |
| Total Direct Payment Funding                              | £ |
| Total Funding from Other Agency/Agencies                  | £ |
| Funding band:   |   |

### Guidance note

Where Independent Specialist Providers believe that a student's support needs are **exceptional**, and beyond those accommodated in support band H, they should approach the student's home local authority **prior to offering a place to the student**, to discuss the case. Evidence will be required to demonstrate the student's exceptional support needs, rather than simply being a justification based on cost.

### 6.0 Contact details

| Independent Specialist Provider   |     |
|-----------------------------------|-----|
| 6.1 Signed:                       |     |
| 6.2 Name ( <i>please print</i> ): |     |
| 6.3 Date:                         | / / |
| 6.4 Position:                     |     |
| Student's home local authority    |     |
| 6.5 Signed:                       |     |
| 6.6 Name ( <i>please print</i> ): |     |
| 6.7 Date:                         | / / |
| 6.8 Position:                     |     |

### Ethnicity codes for section 2.0

|    |   |    |                                    |
|----|---|----|------------------------------------|
| 11 | Asian or Asian British – Bangladeshi                | 20 | Mixed – White and Black African    |
| 12 | Asian or Asian British – Indian                     | 21 | Mixed – White and Black Caribbean  |
| 13 | Asian or Asian British – Pakistani                  | 22 | Mixed – any other mixed background |
| 14 | Asian or Asian British – any other Asian background | 23 | White – British                    |
| 15 | Black or Black British – African                    | 24 | White – Irish                      |
| 16 | Black or Black British – Caribbean                  | 25 | White – any other White background |
| 17 | Black or Black British – any other Black background | 98 | Any other                          |
| 18 | Chinese   | 99 | Not known/not provided             |
| 19 | Mixed – White and Asian                             |    |                                    |

Source: Individualised learner record (ILR)

# Annex 7 - TG: Exceptional Funding Request Summary Form

## New referrals

- 1 Where Independent Specialist Providers believe that the tuition, independent living, care and therapy support needs of potential students are exceptional and exceed the maximum average weekly hours provided at Annex 1 - TG ('Contact Hour Ranges') of this guidance, they must ensure that sufficient information is provided at the earliest opportunity to the student's home local authority as per the local authority's procedures to facilitate and record the placement decision and process.
- 2 Evidence will be required by the local authority to justify the student's exceptional needs and to show that the costs are justifiable. For this reason, Independent Specialist Providers requesting exceptional funding are asked to complete the form at Table 7.1 (titled 'Justification of application for exceptional funding') in this annex.

## Existing students

- 3 Within the student review process, Independent Specialist Providers may identify that the student's support needs have changed, and thus a request to revise funding levels may be necessary, as falling above those described within the funding methodology.
- 4 In these circumstances it is **expected** that any request to change funding levels (including those for students currently funded on exceptional funding levels) will be supported by an amended rationale (Annex 6 - TG) ('Confirmation of Agreed Provision 2012/13')) and an amended Table 7.1 from Annex 7 - TG in this document and forwarded to the student's home local authority, with the appropriate review report and any other relevant evidence.

## In-year changes to funding levels

- 5 Requests to change a student's level of funding in-year (that is, at any time other than through the review process) will only be considered in exceptional circumstances as detailed in paragraph 32 of this guidance. In these circumstances, it is expected that any request to change funding levels (including those for students currently funded on exceptional funding levels) must be supported by an amended rationale (Annex 6 - TG: Confirmation of Agreed Provision 2012/13) and an amended Table 7.1 from Annex 7 - TG ('Exceptional Funding Request Summary Form') in this document and forwarded to the student's home local authority, with the appropriate review report and any other relevant evidence. All review reports and supporting information, including information relating to in-year changes, must be received by the local authority no later than four weeks after their completion and must have been discussed and agreed in advance with the student's home local authority.

## Data and information transmission

- 6 Table 7.1 in this annex and supporting evidence must be submitted in accordance with local authorities' data transmission and encryption policies and as detailed at paragraphs 46-48 of this guidance.
- 7 It is the responsibility of the Independent Specialist Provider to ensure that the student's home local authority has received the documentation.

## Exceptional Funding Request Form (Annex 7 – TG)

### Confidential

#### 1. Student details

Student's name (*please print*):

Independent Specialist Provider:

Date of birth: / /

Proposed placement start date: / /

Proposed placement end date: / /

Student's home local authority:

#### Table 7.1: Justification of application for exceptional funding

This table must only include exceptional elements of education and support i.e. those in excess of the funding limits (Band H). It would be expected that the exceptional funding elements and associated costs detailed, are proportionate to those recorded in Annex 6 – TG and not just reflect one element of delivery i.e. independent living skills.

| <b>Education and Independent Living Skills</b>        |                     |                                      |                                      |                     |                               |
|---|---------------------|--------------------------------------|--------------------------------------|---------------------|-------------------------------|
| Description of staff type                             | Staff cost per hour | One-to-one equivalent hours per week | One-to-one equivalent hours per year | Total cost per year | Total cost per direct payment |
| Include details of unpaid volunteers where applicable | £                   |                                      |                                      | £                   | £                             |
|   | £                   |                                      |                                      | £                   | £                             |
|   | £                   |                                      |                                      | £                   | £                             |
|   | £                   |                                      |                                      | £                   | £                             |
|   | £                   |                                      |                                      | £                   | £                             |
| Total cost of tuition and independent living skills   | £                   |                                      |                                      | £                   | £                             |
| <b>Care &amp; Therapy and/or Medical</b>              |                     |                                      |                                      |                     |                               |
| Description of staff type                             | Staff cost per hour | One-to-one equivalent hours per week | One-to-one equivalent hours per year | Total cost per year | Total cost per direct payment |
| Include details of unpaid volunteers where applicable |                     |                                      |                                      |                     |                               |
|   | £                   | £                                    |                                      | £                   | £                             |
|   | £                   | £                                    |                                      | £                   | £                             |
|   | £                   | £                                    |                                      | £                   | £                             |
|   | £                   | £                                    |                                      | £                   | £                             |
| Total cost of care and therapy                        | £                   | £                                    |                                      | £                   | £                             |



| Equipment                |  |  |   |  |                          |  |                          |   |
|--------------------------|--|--|---|--|--------------------------|--|--------------------------|---|
| Description of equipment | Is the equipment for care and therapy? | Is the equipment for independent living? | Is the equipment the student's own equipment? | Is the equipment part- or fully funded from another agency (see below*)? |                          | Is the equipment part or fully funded by direct payments |                          | Exceptional costs requiring EFA funding |
|                          |  |  |   | Yes  | No                       | Yes  | No                       |   |
|                          |  |  |   |  |                          |  |                          | £                                       |
|                          |  |  |   | <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/>                                 | <input type="checkbox"/> | £                                       |
|                          |  |  |   | <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/>                                 | <input type="checkbox"/> | £                                       |
|                          |  |  |   | <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/>                                 | <input type="checkbox"/> | £                                       |
|                          |  |  |   | <input type="checkbox"/>   | <input type="checkbox"/> | <input type="checkbox"/>                                 | <input type="checkbox"/> | £                                       |

|   |   |   |
|---|---|---|
| Total cost of equipment (EFA funded)            | £ | £ |
| Total cost equipment (other agency funded)      | £ | £ |
| Total exceptional funding costs (EFA funded)    | £ | £ |
| Total cost of equipment (direct payment funded) | £ | £ |

\* Please provide further information on equipment that is part or fully funded by another agency in support of your application.

Completed by (*please print name*):

Position: \_\_\_\_\_ Date:     /     /

Telephone number: \_\_\_\_\_

**Please return this form to the relevant contact at the student's home local authority.**

# Annex 8 – TG: Withdrawal Notification for EFA-funded Students at Independent Specialist Providers

- 1 The form in this annex must be completed when a student withdraws or is withdrawn from his or her placement and if the student has completed the agreed programme earlier than planned. It should be completed in accordance with the Independent Specialist Providers' contractual obligations (schedule 2, clause 5 and schedule 3, clauses 6 and 7) and as detailed at paragraphs 12-15 of this guidance. This form must be submitted in accordance with local authority data transmission and encryption policies as detailed at paragraphs 46-48 of this guidance. It is the responsibility of the Independent Specialist Provider to ensure that the student's home local authority has received the documentation.

## Withdrawal Notification for EFA-funded Students at Independent Specialist Providers Form

### Confidential

For completion by the principal/proprietor/owner of the Independent Specialist Provider.

Name of Independent Specialist  
Provider *(please print)*:

Student's name:

Date of birth: / /

Placement start date: / /

Agreed funding end date: / /

Last date of attendance: / /

Withdrawal date: / /

Reason for withdrawal *(please insert appropriate code from the list at the end of this annex)*:

Details of withdrawal *(please include all relevant information, for example dates, times, action taken and links to any serious incidents)*:

If another service eg social care has been involved, please provide further details:

## Declaration

I am aware of EFA's policy regarding recovery of fees in accordance with the EFA's education and training contract with Independent Specialist Providers.

Name *(please print)*:

---

Principal/proprietor/owner:

---

Signed:

---

Date:

---

/ /

Please return the original to the relevant contact at the student's home local authority.

## Student withdrawal codes

The code corresponding to the reason for withdrawal should be taken from the following list and entered on the form in the box provided.

- A Alternative provision found
- B Student no longer wishes to attend
- C Student deceased
- D Student failed to start
- E Student unable to stay through injury
- F Student found employment
- G Student absent without leave
- H Student excluded
- I Student unable to stay through illness
- J Student unhappy
- K Other
- L Early completion

## Review reports

All withdrawal forms should be accompanied by a final review report for the student.

## Serious incidents

Where a withdrawal has taken place as a result of a serious incident, please note that this **must** be reported to the EFA using email: [HSincident.EFA@education.gsi.gov.uk](mailto:HSincident.EFA@education.gsi.gov.uk) and the student's home local authority within 72 hours of the incident being made known to the Independent Specialist Provider.

## Student fatality

When a withdrawal is due to student fatality, the Independent Specialist Provider must inform the student's home local authority and the EFA at the earliest opportunity and complete a serious incident notification in line with health and safety guidance.

## Funding

Please note that notification of student withdrawals is a contractual requirement (schedule 2, clause 5).

# Annex 9 - TG:

## Request for Placement Extension 2012/13

- 1 It is expected that requests to extend an individual student placement beyond the duration of the original programme end date would only be agreed under exceptional circumstances.
- 2 This form is to be completed by the Independent Specialist Provider and submitted to the student's home local authority no later than the end of the penultimate term of the academic year in which the student's existing placement ends. This form must be submitted in accordance with local authority data transmission and encryption policies as detailed at paragraphs 46-48 of this guidance.
- 3 It is the responsibility of the Independent Specialist Provider to ensure that the student's home local authority has received the documentation.

### Request for Placement Extension 2012/13 Form

**Confidential**

#### 1. Independent Specialist Provider details

Name *(please print)*:

---

Address and postcode:

---

Contact name:

---

Telephone number:

---

Email address:

---

#### 2. Student details

Student's name *(please print)*:

---

Date of birth:

/ /

---

Details of any **changes** to the student's personal details since the original placement request was considered:

Details of the student's learning difficulty and/or disability **if this has changed** since the original placement request was considered:

Rationale for extension:

Current funding band:

Is the current placement (*please tick one*) Day?  Residential?

Will the extended placement continue at the current level of support? (*please tick one*) Yes  No

If not, the Independent Specialist Provider must complete a new rationale of support form (see Annex 6 – TG ('Confirmation of Agreed Provision 2012/13')).

### 3. Programme(s) information

Independent Specialist Provider name (*please print*):

Original programme start date: / /

Programme end date: / /

Achievement or qualification gained, or progress made to date (please provide details against all programmes listed on the individual student schedule and any objectives outlined within the student's individual learning schedule):

### 4. Proposed extension

Start date: / /

End date: / /

Is the current placement (*please tick one*) Day?  Residential?

Proposed funding band:

Details of the programme aims or qualification aims for the extension request. Please demonstrate how these will contribute to the student's long-term career, vocational or educational objectives and transition planning:

| Programme aims/qualification aims | Learning aim reference |
|-----------------------------------|------------------------|
|                                   |                        |

Will any aspect of the student's provision be delivered off-site at another provider (for example a general further education college) (*please tick one*)?

Yes

No

If yes, please complete the following section.

Provider name (*please print*):

Contact name (*please print*):

Telephone number:

Programme to be completed:

How many days each week will the student attend this provider?

### **To be completed by all providers**

What alternatives were considered for the student at the end of his or her current placement, other than the extension now sought? This should include the consideration of alternative provision, employment and semi- or independent living arrangements. The evidence should include review reports detailing transition planning.

### **5. Funding information**

If the extension is supported, the placement will be funded within the EFA's agreed fees for a maximum of 38 weeks.

Where another funding body is contributing towards the current placement, please detail any agreements for funding the extension request, including whether the agreement is definite or provisional:

## 6. Agreements

Please indicate whether the extension request has the support of the following (*please tick all that apply*):

|                            | Yes                      | No                       | Not relevant             |
|----------------------------|--------------------------|--------------------------|--------------------------|
| The student                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Family/carer/advocate      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Connexions/careers advisor | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Local authority            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Social care                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Health authority           | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Other (*if yes, please give details*)

Where the answer is 'no' or 'not relevant', please give details:

## 7. Additional documentation

Please indicate which of the following documents are attached (*please tick all that apply*):

|  |                          |   |                          |
|--|--------------------------|---|--------------------------|
| Most recent care plan or other relevant social care documentation  | <input type="checkbox"/> | Most recent educational psychologist's report | <input type="checkbox"/> |
| Most recent medical report   | <input type="checkbox"/> | Most recent link course report                | <input type="checkbox"/> |
| Letter to confirm funding from social care, health or other agency | <input type="checkbox"/> | Review report                                 | <input type="checkbox"/> |

Other (*please list and label*):

## 8. Signature

**The form should be signed by a senior authorised officer from the referring agency.**

I confirm that this extension request has the support of the referring agency.

Signature:

---

Name (*please print*):

---

Position:

---

Date:

/ /

---

**Please return this form to the relevant student's home local authority.**

# Annex 10 - TG: Record of Student Destination

## Confidential

- 1 This annex is to be completed by the Independent Specialist Provider and returned to the EFA Territory Contract Manager within four weeks of the student's leaving date.

### 1. Independent Specialist Provider details

Name *(please print)*:

---

### 2. Student details

Student's name:

---

Date of birth:                                      /            /

---

### 3. Destination

Has the student had access to independent careers advice?                      Yes                       No

If yes, was this via the student's home local authority or the Independent Specialist Providers' local authority                      Home                       Local

Give details of the student's destination on completing the programme by ticking the appropriate box below:

#### Education or employment

Another further education provider *(please state which)*

A higher education provider *(please state which)*

Employment *(please give details)*

Work-based *(please give details)*

Other *(please give details)*



**Social or residential**

Day care

Long-term residential placement

Student returning home

Independent living

Supported independent living

Other (*please give details*)

**4. Signature of principal/owner/proprietor of Independent Specialist Provider**

Name (*signature*):

(*print name*):

---

Date:                                    /           /

---

**Please return this form to the EFA Territory Contact Manager within four weeks of the student's leaving date.**

## **Annex 11 - TG: References**

LSC (2006) *Funding Assets for Other Organisations*, Coventry: LSC. Available at <http://readingroom.lsc.gov.uk/LSC/2006/ourbusiness/governance/nat-fundingassetsforotherorganisations-gn-feb2006-v1.0.pdf>

EFA (2012) *Placement Information: Learners with Learning Difficulties and/or Disabilities at Independent Specialist Providers 2012/13*, Coventry: EFA.

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