



Department
for Education

Local authority commissioned special free schools

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

October 2016

Overview

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

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

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

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

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

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

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

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

A1: Who is putting forward this expression of interest?

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

Name of LA	Name of person leading	Contact details
Lead LA: Cheshire East Council	[REDACTED]	[REDACTED]
<i>[if applicable – name of 2nd LA. Please add rows for additional LAs who have committed to commissioning places.]</i>	n/a	n/a

A2: What type of school is wanted?

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

Category of SEN provision (if more than one type, with different top-up rates, please explain)	Social, Emotional and Mental Health (SEMH)
Per-pupil revenue funding you would expect to pay (if a range of rates, please explain)	
Age range	4-16
Gender (boys/girls/co-educational)	Co-educational
Total number of proposed places	40
Early years provision? If so, how many places?	No
16-19 provision? If so, how many places?	No
Community use/shared facilities	The local authority would look to make full use of a new special free school in the Crewe area as a means of promoting community cohesion, for example support to a range of local community groups via effective after school use.

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

Our focus on SEMH aims to build upon the creative and innovative work which has taken place over last 18 months which includes :

a. A successful establishment of a specialist primary provision in Crewe for pupils at risk of exclusion with behaviour related issues. This resource is based within a mainstream school with existing SEND resource provision and has involved identified learners receiving intensive support programmes for fixed periods of time supported by TAs from providing school.

b. A structured and innovative emotionally healthy schools programme, which has been piloted across 6 secondary schools and establishes multi-agency working around emotional health and wellbeing. This successful use of Public Health funding and strong link to CAMHS Transformation Plans is due to be rolled out to all primary and secondary schools in Cheshire East.

Emotional health and wellbeing has been identified as a priority by local young people and professionals, and is highlighted in key strategic plans. The development of a new special free school for SEMH would align with this local priority area.

A3: Conversations with partners

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

Who?	Conversation summary (3 points max)
Your neighbouring LAs – please specify	<ul style="list-style-type: none"> Conversations have taken place with Cheshire West and Chester Council and Stockport Council who expressed interest in utilising the proposed special free school, particularly to support Looked After Children that they place in Cheshire East.
Optional: Your Parent / Carer Forum, or other representatives of parents and young people	<ul style="list-style-type: none"> Parent carers are involved in the ongoing analysis of sufficiency for SEND and will continue to be involved with any subsequent option appraisals and proposals that are undertaken to bridge the gap in SEND provision locally (including this EOI) via an established 0-25 SEND Partnership Board and associated workstreams. Recent engagement sessions with parent carers (6 sessions undertaken in the last 6 weeks) have highlighted the urgent need for an increase in local provision in order to provide their children with opportunities to interact and form relationships with peers locally, whilst simultaneously avoiding the need for lengthy and disruptive journeys.
Optional: Any other partners, Schools forum, existing FE colleges etc. (please specify)	<ul style="list-style-type: none"> The local authority is currently working with partners to examine and further develop SEND provision via a number of routes. For example, local schools (both mainstream and specialist) and FE providers are represented on the 0-25 SEND Partnership Board and associated workstreams (including sufficiency of SEN school places).

Who?	Conversation summary (3 points max)
	<ul style="list-style-type: none"><li data-bbox="596 192 1417 286">• A Formula Working Group has also been established as a subgroup of the Schools Forum, and is currently evaluating how the funding system supports inclusion.<li data-bbox="596 293 1437 490">• Multi-agency partners are also engaged via the Emotionally Healthy Schools programme. It is expected that any new special free school for SEMH will be play a pivotal role in this programme. The new school will also provide outreach support to other Cheshire East schools and related commissioned services.

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

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

The site address is as follows:



The size of the site is (3.8 acres/1.53 hectares/15,300 m2)

Site History



Site Availability

It is anticipated that the site would be made available for a Free School on leasehold terms (Academy terms or similar) and that it would be available to release for development upon completion of the lease. It would be possible to allow access to the site before a formal lease is completed, through a Licence for Works, subject to prior agreement of the Heads of Terms.

LA contact for site: 

Please provide the name and contact details for the main LA contact about the site. The EFA may contact this person to ask questions about the site. **If you know any of these site details before submitting your EOI, please let DfE know (by emailing FreeSchools.EFACAPITAL@education.gov.uk) so we can start conversations with you.**

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

I confirm that the Lead Member of Corporate Property at Cheshire East Council has seen this expression of interest and supports it.

Please tick to confirm – ✓

Section C – Rationale for School

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

Meeting pressures on special educational provision

This EOI is planned as a first step to expanding our continuum of provision for SEND within Cheshire East, as part of a wider analysis of sufficiency and SEND strategy.

Cheshire East Council continues to place pupils with a Statement of SEN / EHCP from a chronic position of under capacity inherited from the split of Cheshire County Council into two authorities. Although Cheshire East's total population of school aged children was larger than Cheshire West and Chester's, the number of Special Schools within our boundaries was four from fourteen.

Our current analysis of 1794 pupils aged 4 – 19 that have a Statement of SEN / EHCP places 783 (46%) in Special Schools and Resourced Provisions. It is significant that 372 (48%) of the pupils in Special Schools and Resourced Provisions attend a setting that is out of borough and 134 of these out of borough pupils are in an independent / non-maintained school.

Of the 783 pupils that attend a Special School or Resourced Provision, a significant proportion (440 or 56%) live within a 12 mile radius of the site that Cheshire East have identified for this expression of interest. 90 of the 440 pupils (20%) have a primary need of Social, Emotional and Mental Health (SEMH).

Meeting Parental Demand

Recent parent engagement sessions have emphasised the importance of children and young people having opportunities to attend educational settings within their local community, thereby allowing opportunities to interact and form relationships with peers locally and avoid the need for lengthy and disruptive journeys.

Existing provision in the region and promotion of inclusion

There are currently only two special schools focused on SEMH within Cheshire East, and one resourced provision. Two of the existing SEMH provisions (the resourced provision and a special academy) are located within the Crewe area, which has enabled a strong local SEMH expertise to develop. However, both of these provisions are currently full and the special academy is unable to expand due to physical limitations of the site. Rigorous interrogation of local data indicates that Crewe and the surrounding areas demonstrate the highest levels of need for SEMH within Cheshire East. Due to the shortfall in available specialist places, a significant number of pupils with SEMH in this area are currently attending provision outside of the borough.

In addition to providing much needed local provision, we envisage that a new free special school in Crewe would work in partnership with the local pre-existing specialist provisions and mainstream schools to share expertise and further develop specialist support for children and young people with SEMH in Cheshire East and, in particular, enrich the specialist knowledge base of the Crewe area. Furthermore, we would like to develop models in which children are supported to stay within, or return to, mainstream education wherever possible, and would want the new free school to support this. This may include the use of dual placements, alongside opportunities to train and support staff within the mainstream sector.

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Section D – Pupil data and existing SEN provision

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

- address demographic growth
- help LAs meet what pupils and parents want
- help LAs manage within their budgetary constraints

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

D1: Pupils who would go to the new special school

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

As outlined above, 1794 Cheshire East pupils aged 4 – 19 currently have a Statement of SEN / EHCP and 783 (46%) attend Special Schools or Resourced Provisions. It is significant that 372 (48%) of the 783 pupils in Special Schools and Resourced Provisions attend a setting that is out of borough and 134 of these out of borough pupils are in an independent / non-maintained school.

56% (440) of the 783 pupils that attend a Special School or Resourced Provision live within a 12 mile radius of the site that we are proposing for the special free school outlined within this Expression of Interest document. 90 of the 440 pupils (20%) within the 12 mile radius have a primary need of Social, Emotional and Mental Health (SEMH), and more than a third of these pupils currently attend provision outside of the borough due to a shortage of appropriate provision in their local community (current provision for SEMH in this area is currently at capacity, as outlined in section C). This free school bid is intended to provide a local provision for the pupils that are currently required to attend specialist provision outside of the borough, as opposed to moving pupils that are currently attending mainstream provision within Cheshire East. Furthermore, we expect that any new specialist provision, including this free school, would bolster the ability of local mainstream establishment to support pupils with SEND through the sharing of good practice and specialist expertise, thereby preventing inappropriate placements in specialist provision.

Cheshire East already faces a significant gap in Special School provision and the expected rise in population will only compound this gap as it is anticipated that additional pupils with SEMH will form part of the general rise.

The high proportion of pupils attending provision outside of the borough provides a high transport cost for the local authority, along with expensive top-up and placement fees, particularly for placements within the independent / non-maintained sector. The local authority is currently predicting a total placement spend of approximately [REDACTED] for the current financial year on pupils with SEMH attending out of borough provision within the independent/non-maintained sector. If these pupils could be accommodated within local special schools, then costs would reduce by approximately 30% (i.e. [REDACTED]). In addition, there is a daily travel cost of [REDACTED] for pupils with SEMH attending out of borough provision ([REDACTED] per annum). The development of a new free school which would enable children and young people with SEMH to be educated within their local community would reduce these costs significantly, and therefore deliver better value for money in a time of increasing austerity for local authorities. Financial sustainability for the new free school will be achieved through the local authority favouring placements at this provision over more costly independent/non-maintained placements. We envisage that some of the savings made by the local authority will be used to further develop our local continuum of support for pupils with all SEND needs as part of our long-term strategy.

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

Please use the table below to describe the recent, current and projected trends of specialist provision that caters for **children with EHC plans living in your LA(s), of the age range for which you want the new school** (drawing upon [SEN2 Data](#)). If this is a joint bid, ie. other LAs are committed to commissioning places, either fill in the table once for the LAs together, or copy/paste the table and fill it in for each LA (please say which you have done). **The projected data for 2020 should show the pattern you expect if this EOI is successful.**

	No. of Settings	Please indicate the no. of pupils with an EHC plan living in your LA who are placed within these settings		
		2012	2016 (as at Sep 2016)	2020
Resourced provision and units inside LA	10	95	81	87
Resourced provision and units outside LA	1	5	2	2
Special schools (either maintained or academies) inside LA	5	187	277	337
Special schools (either maintained or academies) outside LA	31	210	183	190
Independent / non-maintained special schools inside LA	3	0	9	10
Independent / non-maintained special schools outside LA	34	42	117	92
Mainstream schools inside LA	148	756	705	756
Mainstream schools outside LA	33	84	59	63
General FE colleges (if relevant) inside LA	0	0	0	0
General FE colleges (if relevant) outside LA	0	0	0	0
Specialist FE providers (if relevant) inside LA	0	0	0	0
Specialist FE providers (if relevant) outside LA	0	0	0	0

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

Trends between 2012 – 2016:

The number of pupils in special schools within the LA has increased due to proactive action by the LA to meet increasing demand, including increasing the number of available places in existing special schools and the creation of a new free school for autism. However, the dramatic increase in the number of pupils attending independent and non-maintained provision, particularly outside of the borough, demonstrates that further specialist provision is still required.

Rationale for 2020 projections:

For the general pupil population, future numbers are forecast by applying a weighting (derived from live birth data) to average pupil numbers from previous years' school census data. This is supplemented by predicted increases arising from planned housing developments.

The above figures for 2020 were generated by applying the predicted percentage change in total pupil number (7%) to each of the categories. This does not take into consideration any further increases in pupils with EHCPs arising from medical advances or more effective identification. Should this EOI be successful, we would aim to move pupils with SEMH that currently attend non-maintained and independent specialist provision outside of the LA to the new free school, and have adjusted the figures to reflect this.

Confirmation

I confirm that the Director of Children's Services at Cheshire East Council has seen this expression of interest and supports it.

Please tick to confirm – ✓

Date (DD/MM/YYYY)	11/11/2016
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