

# Executive Decision Report

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## **Increasing the number of School Placements for children with Special Educational Needs - Ellesmere College**

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Decision to be taken by: Assistant City Mayor education  
and Housing

Decision to be taken on: 22 February 2021

Lead Director: Martin Samuels

## Useful information

- Ward(s) affected :all
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- Report version number: v4

### 1. Summary

- 1.1 To seek approval to commence the statutory process to formally expand Ellesmere College by way of a satellite site at the Knighton Fields Centre. If approved, it is proposed that the statutory notice as required by The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 ('the Prescribed Alterations Regulations') commencing the statutory consultation process will be issued on 1.3.2021.
- 1.2 Once the statutory process concludes, a further formal decision will be required on whether or not to proceed with the expansion of Ellesmere College, including the allocation and use of the Knighton Fields Centre.
- 1.3 The proposal to expand Ellesmere College will create an additional 60 places for children with complex Autistic Spectrum Disorders (ASD) / Communication and Interaction needs (C&I) from the age of 11 to 18 years. This will be an extension of the provision already offered by Ellesmere College. Unfortunately, their current site is not big enough to accommodate an additional building or extension, therefore the Knighton Fields Centre would become a satellite of the existing college.
- 1.4 An analysis was undertaken between May and October 2020 to understand the number of places needed for children and young people with Special Educational Needs and Disabilities (SEND) in the city. This information is detailed at Appendix 1a,1b & 2.
- 1.5 One of the key gaps in provision identified was for those children and young people with complex ASD. Therefore, consideration was given to the ability of all the special schools in the city, based on their current provision to understand if they could extend their existing provision to include individuals with complex ASD, see the conclusion in Appendix 3.
- 1.6 Ellesmere College is considered best placed to provide the support for children and young people with complex ASD, because they have the relevant staff and skills in place and a proven track record of successfully meeting the needs of the secondary aged children and young people with complex ASD.
- 1.7 Due to the pressing need for these children to have their needs met, it is necessary to secure suitable accommodation as soon as possible. Assigning the Knighton Fields Centre to Ellesmere College would represent the most appropriate means by which the necessary accommodation could be provided.

1.8 These proposals will support the City Council's Special School Expansion Programme to increase the number of school placements for children with Special Educational Needs and Disabilities (SEND) by April 2022.

## **2.Recommendations**

2.1 The Executive is recommended:

To approve the commencement of the statutory process to formally expand Ellesmere College, by way of a satellite site at the Knighton Fields Centre, for children and young people with complex ASD.

## **3.Context and Background:**

3.1 There is currently a significant Special Schools Expansion Programme underway in the City to accommodate the growing numbers of children and young people with Special Educational Needs & Disabilities (SEND). The total spend is in the region of £17.5m.

3.2 Executive approval was given in December 2018 to refurbish the Knighton Fields Centre to create a facility for children and young people with Communications and Interaction needs, which includes Autistic Spectrum Disorders (ASD), as part of the Special Schools Expansion Programme.

3.3 At the time discussions took place with Millgate School, regarding the possibility of extending their provision for children and young people with Communication and Interaction needs. At the time Executive approval was given to expand their provision, but the Council did not commence the statutory expansion notification process.

3.4 Subsequently, it has become apparent that there are increasing challenges in securing suitable places for children and young people with complex ASD. This has resulted in several high-profile cases where children and young people were without an appropriate school placement, this meant the Council was failing its statutory duty. Often, the Council is forced to secure out of area placements to address the immediate issue. Apart from creating an additional expense to the Council (there were 38 children and young people with complex ASD for 2019/20 at a cost of £1.4m), this often causes distress to the individual child or young person, which can add to their behavioural difficulties, and place additional pressures on the families.

3.5 An assessment was completed between May and October 2020 to determine the number of school places needed for children and young people, which identified an urgent gap in the needs of those with complex ASD. See Appendix 1a,1b & 2.

3.6 A detailed analysis was completed to understand the needs of the different

groups with ASD in the city, see Appendix 3. This information was shared with the Executive on 22.10.2020, see Appendix 4.

3.7 Given that this represented a change in the need for the city, work was undertaken to identify which of the existing special schools was best placed to deliver the additional capacity for this group of children. Of the six special schools, only two Millgate School and Ellesmere College have current expertise and age cohorts that are relevant. The Council contacted both Millgate School and Ellesmere College setting out a detailed specification for those individuals with complex ASD, and they were invited to submit an expression of interest to provide the additional placements for this group of children and young people. The submission for Ellesmere College is detailed at Appendix 5 and that for Millgate School at Appendix 6.

3.8 Following a rigorous assessment of the two expressions of interest, the Council concluded that Ellesmere College was best placed to expand their existing ASD provision, and that the most appropriate location for this was at the Knighton Fields Centre as detailed at Appendix 7, but in brief the following information summarises the key reasons:

- Ellesmere College already has the staff and skills in place and a proven track record of successfully meeting the needs of the more complex ASD children and young people identified in the specification information
- Ellesmere College have experience in delivering an appropriate curriculum for the more complex ASD children and young people identified in the Council's specification
- Ellesmere College are proposing to run this as a discrete ASD provision, that would link in with the existing Ellesmere College offer including progression into an established Post-16 provision. Information relating to how they will operate over 3 sites is detailed in their expansion proposal at Appendix 5.
- Ellesmere College are in the process of expanding their existing provision at the Rowans, this was agreed by the City Council, following approval by the Department for Education following a statutory notice being issued. They are recruiting additional staff and have a detailed training programme, which could be extended to include the Knighton Fields Centre.
- The use of the building to Ellesmere College is considered to be appropriate as the centre has undergone extensive work to create a fit-for-purpose building for children and young people with complex ASD, there is currently a demand for this type of provision and the Council does not want to place more children out of area than necessary.

3.9 In terms of Millgate School, the Council recognising the outstanding support it delivers to children and young people with a range of SEND, in particular emotional social and mental health, but it does not have the existing experience demonstrated by Ellesmere College to support the educational needs of those with complex ASD. Appendix 8 provides a copy of an email sent to Chris Bruce

Executive Head at Millgate School on 10.11.2020 advising the Council would be reviewing its options. A discussion also took place between Chris Bruce and Richard Sword (Director) on 16.11.2020 (see Appendix 9) and a letter of confirmation was sent to Chris Bruce on 17.11.2020 (Appendix 10), which reiterated that the Council was formally reviewing its options for the future of the Knighton Fields Centre. Appendix 11 provides a brief chronology.

3.10 In addition, Oakland School also expressed an interest in providing support for this cohort. However, whilst acknowledging the outstanding support they deliver to primary age children with ASD, because it would cover a new age range it would require them to apply as a 'free' school, which would take a significant period of time to receive the Department for Education approval, usually a minimum of 2 years.

3.11 Should the expansion of Ellesmere College be approved following the statutory process, the Council would need to explore whether any additional building work may be required to ensure the Knighton Fields Centre accommodates 60 children and young people with complex ASD. Giving the savings for out of area cost, we believe any investment will be cost effective.

3.12 A detailed communications plan has been developed to ensure that all key stakeholders are advised of the situation.

#### **4. Financial**

4.1 The planned expenditure on the additional high needs places has already been included as part of the budget planning for the High Needs Block of the DSG.

*Martin Judson, Head of Finance*

#### **5. Legal**

5.1 The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, supported by the statutory guidance *Making significant changes ('prescribed alterations') to maintained schools* apply to this proposed expansion of Ellesmere College. In relation to special schools the statutory process must be followed where an expansion is proposed that increases the intake by either 10% or 20 places (whichever is the lesser). This includes a formal consultation process of at least 4 weeks. The intention is to issue the formal notice on 1.3.2021, this will expire on 29.3.2021 and a further report will be presented to the Executive detailing the outcome of the exercise and recommending the way forward.

5.2 In respect of the property implications, school and education land and property (including land used for education purposes), is protected from disposal without the consent of the Secretary of State by Schedule 1 to the Academies Act 2010. However, given that there will be no disposal of the

Knighton Fields site and provision for education will be provided from the Centre, these provisions will not apply.

John McIvor, Principal Lawyer, Legal Services

5.2 Pursuant to Sections 13 and 14 of the Education Act 1996, the Local Authority has the legal responsibility to ensure that there are sufficient school places within the local area, including places that are sufficient in number, character and equipment to provide for all pupils the opportunity of appropriate education.

A party may seek to challenge a decision by way of an application for judicial review, where there is scope to challenge the reasonableness and fairness of, or the process followed in reaching a decision in accordance with the judicial review principles.

The report seeks approval to commence the statutory process to expand Ellesmere College. The relevant legal framework is contained in Chapter II, Part II of the School Standards and Framework Act 1998 and the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013. This is supported by the statutory guidance *Making significant changes ('prescribed alterations') to maintained schools*.

The statutory guidance sets out the detail of the statutory process which must be followed and this includes a period of formal representation (consultation) which must be at least four weeks.

A decision on the proposal must be made within a period of two months of the end of the representation period or the proposal must be referred to the Schools Adjudicator.

Julia Slipper, Principal Lawyer, ext 6855

## **6. Equalities**

When making decisions, the Council must comply with the Public Sector Equality Duty (PSED) (Equality Act 2010) by paying due regard, when carrying out their functions, to the need to eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act, to advance equality of opportunity and foster good relations between people who share a 'protected characteristic' and those who do not.

In doing so, the council must consider the possible impact on those who are likely to be affected by the recommendation and their protected characteristics.

Protected Characteristics under the Equality Act 2010 are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

An expansion of Ellesmere College, as recommended in report would create additional special educational needs pupil places. This is likely to have positive

impacts in terms of the aim of the PSED to advance equality of opportunity, particularly in relation to the protected characteristic/s of age and/ or disability and have a positive effect on the lives of children within the city. It will help the council in meeting the needs of children across the city with special educational needs and helping to increase the number of school places to ensure we keep up with demand.

Accessible and inclusive design will support the general aims of the PSED and will be beneficial particularly in removing barriers to participation. An equalities impact assessment is being carried out so that the consideration of equalities impacts is taken into account in the development of the proposals and as an integral part of the decision making process.

The equality impact assessment is an iterative document which should be revisited throughout the decision-making process and should also take into account any consultation findings.

Schools are also subject to the PSED and have responsibilities to prevent discrimination against and ensure the fair treatment of all children and young people with disabilities. In addition, employers have duties under the Equality Act 2010.

**Surinder Singh, Equalities Officer, Ext 37 4148**

## **7. Climate change**

Schools are a major source of carbon emissions in the city. Following the council's declaration of a climate emergency in 2019 and the development of the council's Climate Emergency Strategy & Action Plan, addressing these emissions is vital to meet Leicester City Council's ambition to reach carbon neutrality.

**Aidan Davis, Sustainability Officer, Ext 37 2284**

## **8. List of Appendices**

Appendix 1a & 1b: Sufficiency Data May 2020

Appendix 2: Sufficiency Data October 2020

Appendix 3. Analysis of Need

Appendix 4. Executive Briefing 22.10.2020

Appendix 5. Ellesmere Proposal

Appendix 6. Millgate Proposal

Appendix 7. Assessment of Proposals

Appendix 8. Email to Chris Bruce 10.11.2020

Appendix 9. Confirmation of Discussion with Chris Bruce 17.11.2020

Appendix 10. Letter to Chris Bruce 17/11/2020

Appendix 11. Millgate/KFC Engagement Chronology

**9. Is this a private report)?**

**No**

**10. Is this a “key decision”?**

**No**

## Appendix 1a - Sufficiency data (May 2020)



Appendix 1a -  
special school place

## Appendix 1b – Sufficiency Data (May 2020)



Appendix 1b -  
SEND capacity prese

## Appendix 2 – Sufficiency Data (October 2020)



Appendix 2 -  
Special school capac

## Appendix 3 – Analysis of need and provision at the 6 special schools in the city

# SEND Support Service

Pindar Road, Leicester LE3 9RN  
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## KFC/ASD Provision

### Context

Currently in Leicester City, CYP with a diagnosis of high functioning ASD have a range of provisions to meet their needs:

- Mainstream placements
- DSPs
- SEMH special where there is associated challenging behaviour (Keyham/Millgate)

CYP who are very low functioning ASD (classic Kanner), many of whom also have SLD, these CYP have a range of provisions to meet their needs:

- Oaklands (primary only)
- There are plans for Netherhall Special school to extend their provision for this cohort.

CYP with moderate learning difficulties (MLD) and fewer behavioural challenges are provided for at Ellesmere College.

**However, there are a cohort of complex CYP for whom there is not currently clear provision. These are:**

1. Passive ASD CYP who do not exhibit challenging behaviours
  - MLD

- High sensory needs
  - Up to 50 words
  - Alternative means of communicating (e.g. Makaton, objects of reference, PECS)
  - Many of this cohort of CYP are currently in mainstream schools awaiting a special school placement. These CYPs current needs are not being appropriately met in mainstream and as a result they are becoming socially isolated and receiving exclusions. This is the cohort of CYP who are particularly vulnerable to mental health issues in later life (age 15 plus).
  - These pupils are not similar to those currently attending Millgate or Keyham as they exhibit 'passive & withdrawn' behaviours as opposed to challenging behaviours. These pupils require support to support them in expressing emotion and needs, such as presently used in the MLD/SLD special schools.
2. CYP at secondary age with an ASD diagnosis and MLD who also have some associated behaviour challenges. These CYP are not suitable for Netherhall due to the vulnerability of the PMLD students at the school. The management of these pupils would fit with the skills of Ellesmere School but would require a higher staffing/funding level than their usual MLD cohort. These CYP are:
- Pre-verbal
  - Have poor receptive language
  - Have Behaviour challenges (mostly due to frustration of not being able to communicate their needs)
  - Have Toileting issues (nappies)
  - Pre-readers
  - May be able to follow simple 'one key word' instructions in familiar contexts.
  - Need for sensory stimulation or the opposite.
  - Using objects of reference or symbols to communicate
  - *This would be children such as a recent case VS*
3. Those children with CYP who are of too high a cognitive level for the usual MLD cohort, who have a diagnosis of ASD and some associated behaviour challenges.
- Lower cognitive ability (more than 3 years behind their mainstream peers)
  - Significant sensory needs (hyper/hyposensitivity)
  - Highly anxious
  - Emotionally vulnerable
  - Children with communication difficulties and ASD may often present with challenging behaviour as they become overwhelmed and confused by the environment about them. As a result, CYP with ASD are often allocated to SEMH special schools, but this is not always the best environment to support them.

Whilst there are significant parallels in the types of behaviour demonstrated by CYP with ASD and those with SEMH needs, what drives these behaviours is very

different. Resultantly the type of support needed to support these meet these needs is **not** the same.

CYP with ASD require support to understand their environment and the interactions of those around them.

CYP with significant SEMH needs require emphasis on the relationships with other staff. Whilst some ASD strategies will support them, many of these CYP will thrive on dynamic and highly stimulating environments. These pupils can often be highly unpredictable and unregulated in their emotions. These children can often be hyper alert to social situations/moods and feelings of others. Therefore, challenging behaviour can be triggered by small actions from others around them.

Conversely, many of the children with ASD require a low stimulation environment and a very predictable routine. They are often unaware of social norms and the emotions of others and so can inadvertently upset CYP who have SEMH needs (or even staff who do not fully understand ASD). This makes the ASD CYP vulnerable to physical, verbal and emotional abuse.

**These three groups of CYP could work well alongside each other, as an environment well-tailored to their needs will reduce inappropriate behaviours. Those children who have some communication could serve as positive role models for their peers. The whole group would be able fluctuate between different pathways according to their individual needs. This would mean that the curriculum could be really tailored to the CYPs special interests.**

#### Provision

The provision necessary to meet the needs of these CYP would be:

##### Environment:

- Calm (both physically and in staff behaviours)
- Communication friendly, clear visuals
- Well-structured environment, with consistent routines
- Signing environment

##### Sensory friendly:

- Appropriate outdoor sensory equipment
- Sensory room that can be adapted to high sensitivities or low sensitivities
- Individual sensory diets

##### Cognition:

- Multi-sensory curriculum (all lessons need to be sign/visually supported)
- Learning opportunities for CYP functioning at a 36-48month level, this will mean objects of reference and symbols will need to be consistently used through the whole school day (inc. breaks and lunchtimes)
- Using 4 or 5 word sentences
- Blanks Levels of Questioning max. Level 2 only ie can only answer what and who questions
- Life Skills (PfA) will need to include skills such as toileting, feeding, managing menstruation and puberty

#### Interactions:

- Emotional regulation
- Limited physical interventions
- Developing Emotional Literacy
- Helping CYPs with low cognitive ability to recognise, manage and communicate their anxieties
- Using special interests to support learning and interaction

#### Staffing

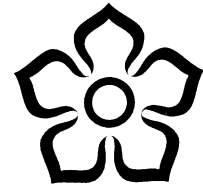
The needs of this group would be best catered for by staff who are:

- Highly skilled and experienced in meeting the needs of CYP with complex ASD. Preferably with further high level qualifications in Autism.
- A strong track history of supporting these CYP (both at an operational and strategic level).
- Strong background in meeting the needs of pupils with a low cognitive ability (MLD, SLD, Speech and language)
- History of close collaboration with SALTs and Occupational Therapist
- Staff qualified and skilled in:
  - Team Teach
  - TEACCH
  - PECS
  - AET (at least Level 2)
  - ELKLAN
  - Personalised Sensory Diets
  - Makaton Trained (or other signing methods)
  - Effective use of a sensory room (to meet individual sensory needs)
  - ELSA trained TA
  - SCERTS training
  - NAS accreditation

#### Conclusion

Millgate have significant experience in successfully supporting CYP with challenging behaviour especially those with SEMH needs. In recent years they have worked hard to increase their knowledge around working with ASD. They have worked well with some of the higher functioning ASD CYP. Nevertheless, the group of CYP who would access the new provision are broader and more complex. Presently, Millgate do not have as broad a skill base in place as Ellesmere. However, whilst it would take time and be costly, Millgate could undergo training and employ new staff to deliver all the required interventions.

Ellesmere currently have the experience of working at secondary and Post 16 age ranges, including preparing pupils for work and adulthood. They have significant experience of working with CYP with ASD and of MLD and a good understanding of the different drivers of challenging behaviour of SEMH and ASD pupils. In addition, they already have staff who are trained and experienced in delivering many of the specialised SEND interventions required. Such different forms of communication e.g. Makaton signing, Picture Exchange Communication System (PECS) or meeting sensory needs of CYP e.g. creating sensory diets



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Oaklands would have many of the skills required to support the CYP in this centre and staff trained in the interventions. However, they are currently a primary provision and do not have the secondary and Post 16 experience. This would cause challenges as the needs of CYP going through puberty and teenage years are significantly different to those of younger CYP. In addition, it is crucial to improve outcomes for these CYP, in particular in skills for life, national qualifications and preparation for adulthood (PfA curriculum). Oaklands as a primary school would not have direct experience of this area of work. If Oaklands were to open the KFC it would need investigation and legal advice as this may constitute a new school.

Netherhall has experience of working with CYP through the secondary age and would also have staff trained in many of the interventions needed. However, Netherhall has CYP with PMLD/SLD, the needs of these CYP are very different. Netherhall could make this provision, but this would be significantly additional and different to their current cohort.

In conclusion, we propose that you approach Millgate and Ellesmere schools to have a further discussion regarding making this provision.

October 2020  
Sophie Maltby, SEND Support Service Manager  
Liz Richardson, LCI Team Leader

#### Appendix 4. Executive Briefing 22.10.2020

# Executive Briefing

**Date:** 22<sup>nd</sup> October 2020  
**From:** Richard Sword  
**Ext:** 37 1628

## SEND Report

### 1. Introduction:

This briefing paper relates to an executive decision undertaken on the 6<sup>th</sup> December 2018, which approved the release of £3,573,700 from the capital programme policy provision to fund the expansion of Millgate Special School (MSS) which specialises in Social Emotional and Mental Health by 60 places, through the development of the Knighton Fields Centre (KFC) which is a vacant building attached to the school. The

increase in capacity (60 places) was to provide for children and young people with communication and interaction needs.

The sole objectives of developing the KFC was as follows:

- Increase capacity of special school places within the City,
- Place children within close proximity to their home address,
- Reduce the number of children in out-of-City non-maintained schools,
- Reduce the costs of this provision to the Local Authority.

The status of the project is as follows:

- The Knighton Fields Centre is currently under construction as is due to reach practical completion by January 2020,
- Millgate have been part of the design process and meetings in relation to the project,
- The authority has not commenced the statutory process of expanding the school, which would be subject to the statutory process set out in the *Making significant changes ('prescribed alterations') to maintained schools* statutory guidance,
- The authority has formally confirmed the KFC will not be part of any Community Transfer Agreement (discussed on more detail below)

Since the original executive decision on December 2018, Millgate school received an Academy Order dated the 1<sup>st</sup> November 2019 sponsored by the Discovery Schools Academy Trust (DSAT), with an intended conversation date of the 1<sup>st</sup> June 2020. Following this development and given that the project would not be completed until October 2020, an instruction was given on the 20<sup>th</sup> January 2020 for the grant of a lease of Millgate Special School, without the KFC expansion to Discovery Schools Academy Trust (DSAT). In March 2020 it was confirmed again between DSAT and LCC that the KFC building would not transfer as part of the academy conversion.

## **2. Background:**

Since the decision was implemented in 2018 the authority has had a new senior leadership team for the Special Education Needs and Disability (SEND) service, which has delivered a series of transformational change programmes. One of these programmes was designed to look at the sufficiency of places, so the authority could understand the changing special education needs of children in the city and what provision needed to be in place to meet the future needs of the city. This study identified an urgent gap in sufficiency provision within the city in relation to specialist cohort of complex ASD children.

## **3. Sufficiency Duty**

Pursuant to Sections 13 and 14 of the Education Act 1996, the Local Authority has the legal responsibility to ensure that there are sufficient school places within the local area, that are sufficient in number, character and equipment to provide for all pupils the opportunity of appropriate education.

## **4. Pupil Placement Demand and Provision:**

Current pupil sufficiency data demonstrates that there is considerable additional demand of 67 places for children with Autistic Spectrum Disorder (ASD) / Communication and Interaction needs (C&I). However, it is important to recognise that the range of C&I/ASD spectrum is considerable. Currently Leicester City has a range of provision to cater for Children and Young People (CYP) with ASD (Autism Spectrum Conditions) and this is broken down as follows:

Cognitively able with co-occurring ASD have the following range of provisions to meet their needs:

- Mainstream placements
- DSPs
- SEMH special where there is associated challenging behaviour (Keyham/Millgate)

Cognitively less able with co-occurring ASD, (including SLD) these CYP have a range of provisions to meet their needs:

- Oaklands (primary only)
- There are plans for Netherhall Special school to extend their provision for this population

ASD with more moderate Cognition and Learning needs, plus challenging behaviours are provided for at Ellesmere College.

#### **5. Placement Sufficiency Issue:**

There are a cohort of CYP with ASD who fall between the groups discussed above where we do not have specific specialist provision in the city to meet their needs and it is these groups where the authority has a legal sufficiency duty issue.

Currently placing these types of ASD students in the city and in out of city private placements is incredibly difficult as we do not cater for their specific needs. This is most recently evidenced by the high-profile cases of xxxx and xxxx. Both xxxx and xxxx fit into the cohort discussed below, both could not be accommodated by our local schools or in be placed into private provision, meaning that authority was in breach of its legal sufficiency duty and caused the parents to raise a high profile campaign highlighting the gap in provision within the LA. To meet our Legal Sufficiency duty the authority took the unusual step of building bespoke facilities and employing specialist staff. Whilst this addressed the cases of xxxx and xxxx it highlighted the issue and importantly that steps must be taken to create this provision in the city.

Alongside the above we also have xx children requiring a placement of this nature and xx children in out of city placements who have this type of need and would benefit from a facility which catered for their needs.

The ASD groups where we need specialist provision fall into the following groups:

**CYP at secondary age with an ASD diagnosis or profile? Do they require a diagnosis? and C&L who also have some associated behaviour challenges.**

These CYP are often:

- Pre-verbal
- Have poor receptive language
- Experience challenging behaviours (mostly due to frustration of not being able to communicate their needs)
- Have Toileting issues (pads)
- Pre-readers
- May be able to follow simple 'one key word' instructions in familiar contexts.
- Need for sensory stimulation or the opposite.
- Using objects of reference or symbols to communicate

These CYP are not suitable for Netherhall due to the vulnerability of the PMLD students at the school.

**'Hidden' C&I/ASD CYP who do not exhibit challenging behaviours**

- More moderate C& L needs
- High sensory needs
- Up to 50 words- verbal or literacy??
- Alternative means of communicating (e.g. Makaton, objects of reference, PECS)
- Many of this cohort of CYP are currently in mainstream schools awaiting a special school placement. These CYPs current needs are not always appropriately met in mainstream and as a result they may become socially isolated and receive exclusions. This is the cohort of CYP who are particularly vulnerable to mental health issues in later life (age 15 plus).

**CYP who are more cognitively able who have a diagnosis of ASD and some associated challenging behaviours.**

- Lower cognitive ability (more than 3 years behind their mainstream peers)
- Significant sensory needs (hyper/hyposensitivity)
- Highly anxious
- Emotionally vulnerable
- Children with communication difficulties and ASD may often present with challenging behaviour as they become overwhelmed and confused by the environment about them. As a result, CYP with ASD are often allocated to SEMH special schools, but this is not always the best environment to support them.

Whilst there are significant parallels in the types of behaviour demonstrated by CYP with ASDs and those with SEMH needs, what drives these behaviours is **very different**. Resultantly the type of support needed to support these meet these needs is **not** the same.

CYP with ASDs require support to understand their environment and the interactions of those around them.

CYP with significant SEMH needs require emphasis on the relationships with other staff. Whilst some ASD strategies will support them, many of these CYP will thrive on dynamic and highly stimulating environments. These pupils can often be highly unpredictable and unregulated in their emotions. These children can often be hyper alert to social situations/moods and feelings of others. Therefore, challenging behaviour can be triggered by small actions from others around them.

Conversely, many of the children with ASD require a low stimulation environment and a very predictable routine. They are often unaware of social norms and the emotions of others and so can inadvertently upset CYP who have SEMH needs (or even staff who do not fully understand ASD). This could make CYPs experiencing ASDs vulnerable to physical, verbal and emotional abuse.

These three groups of CYP can work well alongside each other, as an environment well-tailored to their needs will reduce inappropriate behaviours. Those children who have some communication could serve as positive role models for their peers. The whole group would be able move fluidly between different pathways according to their individual needs. This would mean that the curriculum could be really tailored to the CYPs special interests.

## **6. What Provisions is needed to meet need?**

When considering the above cohort, the type of provision required to meet the needs of these CYP is split out into distinctive key components which are as follows:

### **Environment:**

- Calm (both physically and in staff behaviours)
- Communication friendly, clear visuals
- Well-structured environment, with consistent routines
- Signing environment

### **Sensory friendly:**

- Appropriate outdoor sensory equipment
- Sensory room that can be adapted to high sensitivities or low sensitivities
- Individual sensory diets

### **Cognition:**

- Multi-sensory curriculum (all lessons need to be sign/visually supported)

- Learning opportunities for CYP functioning at a 36-48month level, this will mean objects of reference and symbols will need to be consistently used through the whole school day (inc. breaks and lunchtimes)
- Using 4 or 5 word sentences – chunking etc
- Blanks Levels of Questioning max. Level 2 only i.e. can only answer what and who questions
- Life Skills (PfA) will need to include skills such as toileting, feeding, managing menstruation and puberty

### **Interactions:**

- Emotional regulation
- Limited physical interventions
- Developing Emotional Literacy
- Helping CYPs with low cognitive ability to recognise, manage and communicate their anxieties
- Using special interests to support learning and interaction

### **The needs of this group would be best catered for by staff who are:**

- Highly skilled and experienced in meeting the needs of CYP with complex ASD. Preferably with a master's level qualification in Autism
- A strong track history of supporting these CYP (both at an operational and strategic level).
- Strong background in meeting the needs of pupils with a low cognitive ability (C&L, Speech and language)
- History of close collaboration with SALTs and Occupational Therapist
- Staff qualified and skilled in:
  - Team Teach
  - TEACCH
  - PECS
  - AET (at least Level 2)
  - ELKLAN
  - Personalised Sensory Diets
  - Makaton Trained (or other signing methods)
  - Effective use of a sensory room (to meet individual sensory needs)
  - ELSA trained TA
  - SCERTS training
  - NAS accreditation where appropriate (special provisions, DSPs)

### **7. Options available to meet need:**

In order to determine the best school to provide this provision the following schools were considered:

#### **Millgate Special School:**

Millgate have significant experience in successfully supporting CYP with challenging behaviour especially those with SEMH needs. In recent years they have worked hard to increase their knowledge around working with ASDs. They have worked well with some of the more cognitively able CYP experiencing ASDs. Nevertheless, the group of CYP who would access the new provision are broader.

Presently, Millgate do not have as broad a skill base in place to deal with this cohort and nor do they have the track record or all of the specialist team to deal with this cohort. This is demonstrated by the fact that they were unable to meet the need when consulted on the cases of xxxx and xxxx. However, it should also be recognised that in theory whilst it would take time and be costly, Millgate could undergo training and employ new staff to deliver all the required interventions.

### **Oaklands Special School:**

Oaklands are currently an ASD primary school and would have many of the skills required to support the CYP in this centre and staff trained in the interventions. However, they are currently a primary provision and do not have the secondary and Post 16 experience. This would cause challenges as the needs of CYP going through puberty and teenage years are significantly different to those of younger CYP. In addition, it is crucial to improve outcomes for these CYP, in particular in skills for life, national qualifications and preparation for adulthood (PfA curriculum). Oaklands as a primary school would not have direct experience of this area of work. Finally, there are legal concerns under the statutory process set out in the *Making significant changes ('prescribed alterations') to maintained schools* statutory guidance, that expanding Oaklands from primary ASD into Secondary ASD would constitute new provision and this process would take a minimum of 2 years.

### **Netherhall Special School:**

Netherhall has experience of working with CYP through the secondary age and would also have staff trained in many of the interventions needed. However, Netherhall has CYP with PMLD/SLD, the needs of these CYP are very different. Netherhall could make this provision, but this would be significantly change and different to their current cohort of children.

### **Ellesmere Special School:**

Ellesmere currently offers places for students with a range of communication and interaction needs, including complex autism, across the ability range. They currently have students with autism who are working towards GCSEs in Maths and English and also have students with autism who are pre-verbal and cannot communicate with those around them. They were also the only school who had the existing skills and experience to meet the needs of xxxx and xxxx who fit into the cohort being discussed. Ellesmere already have:

- the experience of working at secondary and Post 16 age ranges, including preparing pupils for work and adulthood.
- significant experience of working with CYP with ASDs/C&I and of C&L.
- a good understanding of the different drivers of challenging behaviour of SEMH and ASD pupils.
- Staff who are already trained and experienced in delivering many of the specialised SEND interventions required. Such different forms of communication e.g. Makaton signing, Picture Exchange Communication System (PECS) or meeting sensory needs of CYP e.g. creating sensory diets,

Teaching staff are well qualified to cater for students with C&I/autism, including having a Principal with the following qualifications and experience specifically related to autism, namely: Post graduate certificate in Autism and a Masters in Education majoring in SEN/Autism

#### **8. Recommendation:**

When reviewing all of the key factors needed to meet the needs of this specialist ASD cohort, alongside considering which school has the best track record, correct staff structure and specialist teaching staff already in place to meet need, it is evident that Ellesmere would be best placed to meet the needs of this co-hort. If Ellesmere were to meet the needs of this cohort, due to the nature of challenging behaviour it would need to be in a setting away from their current school site, so it did not impact on some of the more vulnerable students in their current cohort/setting.

In consideration that it has been identified that Millgate are unable to urgently meet the needs of this cohort, and would need additional recruitment and training, it therefore brings into question the original decision to allocate the Knighton Fields Centre (KFC) to Millgate. In order for Ellesmere to support this cohort, they would need additional space, and potentially the KFC could provide this requirement. However, this would require further consideration. The legal ramifications of this would be considerable and discussed in more detail below.

#### **9. Legal views and concerns:**

If the Local Authority was to review the original executive decision and subsequently change the decision to award the KFC to Ellesmere, the rationale behind that decision is likely to be legally challenged by MSS.

On that basis legal counsel advice was sort on xxxxx and this advice is contained in Appendix A. The key legal salient facts considered are as follows:

- **Executive Decision.** A formal executive decision was taken and published on the 6<sup>th</sup> December 2018: In respect of any decision by LCC not to transfer KFC to DSAT and/or otherwise not use KFC for the purposes of MSS expanding, it

is legal counsel's opinion that this is a decision which LCC has the power to make and they are not bound indefinitely by the original decision.

- **Sufficiency Duty:** LCC have a statutory duty to provide sufficient school places including sufficient SEN places. Case law on section 13/14 EA 1996 does not particularly assist in this matter. It has tended to be raised in the context of claims concerning what is an appropriate placement for a child with SEN and the case law is that a child is entitled to an adequate placement not any particular type of placement. As such LCC has a duty to provide places and a discretion as to how and what places it provides.
- **Building Design:** On the 13<sup>th</sup> February 2019 an instruction for a design brief for expanding MSS using the KFC commenced. MSS were part of these discussions and have formally attended several design meetings and this could be used as evidence to aid a legal argument by MSS of legitimate expectations,
- **Statutory Process:** The authority has not commenced the statutory process of expanding the school, which would be subject to the statutory process set out in the *Making significant changes ('prescribed alterations') to maintained schools* statutory guidance.

Overall, the legal test is if the decision to expand Ellesmere College is made in a way that is reasonable, rational and procedurally fair. Therefore, the assessment in that the risk of legal challenge is high and the ability to win a legal challenge would be medium. All matters in this report should be considered, and in particular that a judicial review is very likely. Should a new decision be taken, it will have to be produced knowing that it is likely that there be a judicial review and as such each and every element of the report will be scrutinised, potentially by a Judge and as such this is key. In respect of defeating legitimate expectation arguments, the evidence, most likely in the form of a witness statement will be needed. Furthermore the report would need to be able to justify why the change in demand in ASD places is significant in order to defeat arguments that it would be irrational to use the KFC centre given the work done with MSS to date and this element of the argument is of significant concern.

## Appendix 5. Ellesmere Proposal

# Knighton Fields Centre Expansion Proposal for Ellesmere College



Current NOR – 306

Potential NOR with The Rowans coming online – 366

Potential NOR with the Knighton Fields Centre coming online: 426

Ellesmere College would move from a large single-site special school to a large special school operating across three sites:

Main Site (306) – **Ellesmere College**

Post-16 Site (60) The Rowans – **Ellesmere Horizons**

Specialist Communication and Interaction Facility (60) - **Ellesmere Knighton Fields.**

**Recent trends for demand by primary need:**

Primary need/disability	2015/16	2016/17	2017/18	2018/19
Specific Learning Difficulty	6	8	7	5
Moderate Learning Difficulty	133	97	83	65
Severe Learning Difficulty	187	171	147	140
Profound & Multiple Learning Difficulties	29	27	20	19
Social, Emotional and Mental Health	163	188	228	237
Autisms	104	134	164	197
Other communication and Interaction	18	31	41	64
Hearing Impairment	3	4	8	7
Visual Impairment	2	1	1	1
Multi-Sensory Impairment	1	1	1	1
Physical	100	118	133	135
Other Difficulty/ Disability	6	6	9	7

**Forecast demand for future years by primary need:**

	2020-21	2021-22	2022-23	2023-24
Specific Learning Difficulty	9	9	9	9
Moderate Learning Difficulty	113	112	112	111
Severe Learning Difficulty	221	220	219	217
Profound & Multiple Learning Difficulties	30	30	30	30
Social, Emotional and Mental Health	349	349	347	344
Autisms	273	273	272	269
Other communication and Interaction	81	83	81	80
Hearing Impairment	11	11	11	11
Visual Impairment	2	2	2	1
Multi-Sensory Impairment	2	2	2	1
Physical	201	205	200	198
Other Difficulty/Disability	12	12	12	12
<b>Total</b>	<b>1303</b>	<b>1307</b>	<b>1296</b>	<b>1282</b>

As you can see from the above data, the need for school places for students with ASD and other communication and interaction is growing. From 2018-19 to 20-21 there is an increase of 93 places.

It is agreed that in the city there is a gap for provision that caters for students with **communication and interaction/ASD who are often high functioning but display challenging behaviour**. They are unable to cope in mainstream, are often too academically able for special schools and too vulnerable for SEMH settings. This is a cohort for which Ellesmere is expertly placed to meet need.

The Executive Decision (6<sup>th</sup> December 2018) identified the Knighton Fields Centre to accommodate 60 students with 'Communication and Interaction' needs.

### **Why is Ellesmere College the right school for taking on the Knighton Fields Centre Project?**

At Ellesmere we are really proud of the nurturing ethos we have created at our main site.

We value aspiration, achievement, creativity and challenge alongside respect, resilience and a love of learning. Qualities of respect, responsibility, independence, confidence, resilience and teamwork throughout school life. At Ellesmere we are a family, committed to each other and a life-long journey of learning. We are fully committed to achieving this same, aspirational, yet nurturing ethos across all three sites.

As Principal of Ellesmere College I feel fully equipped to lead on a provision for students with Communication and Interaction needs (ASD) having the following qualifications and experience specifically related to the project:

#### **Qualifications:**

- Post graduate certificate in Autism. (University of Birmingham)
- Masters in Education majoring in SEN/Autism. (University of Nottingham)

#### **Experience:**

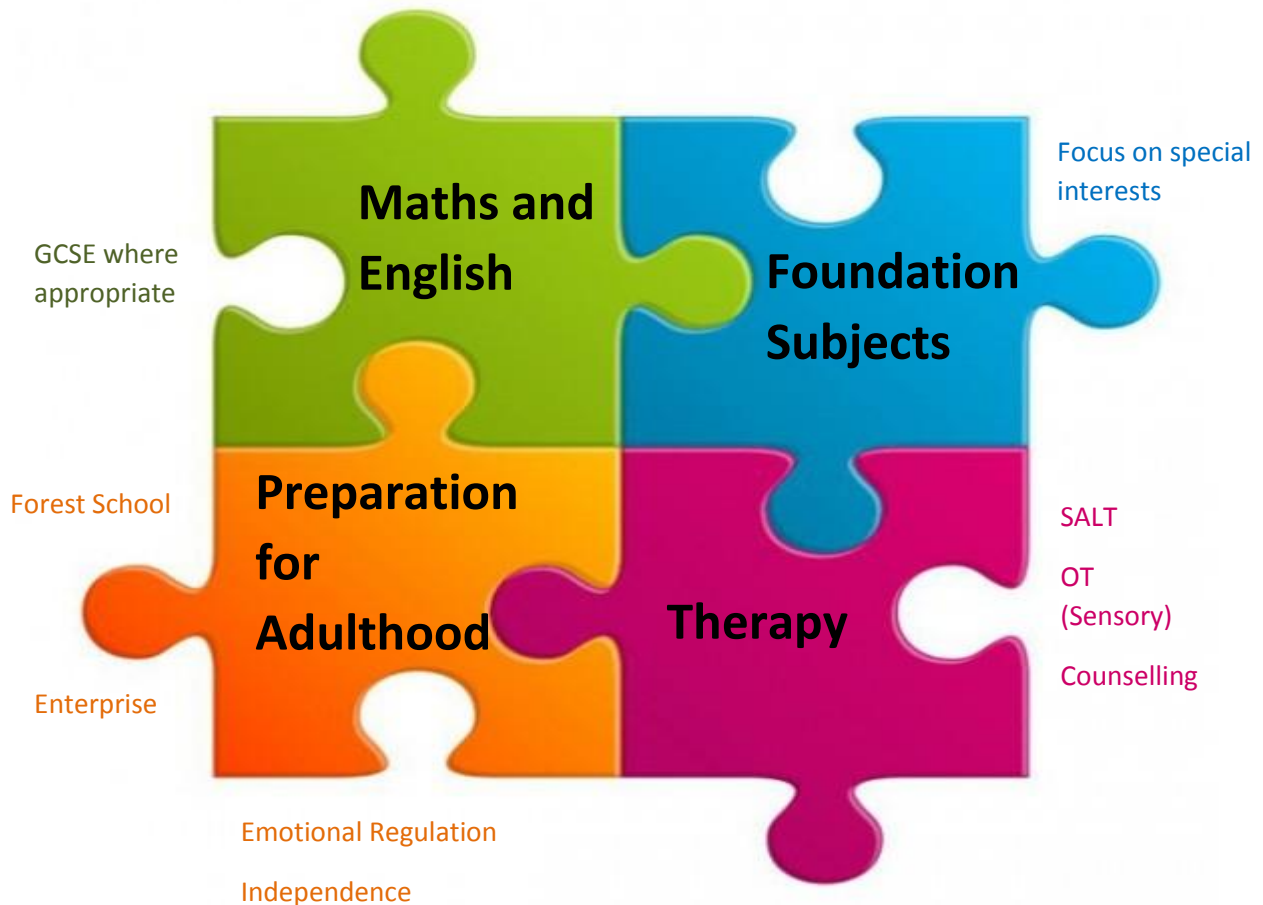
- 3 years as Assistant Headteacher overseeing the Enhanced Resource Provision for students with Autism at Shephed High School and Hind Leys College.
- 3 years as Assistant Headteacher at Maplewell Hall School during which time I set up the MAP provision (Maplewell Autism Provision) a programme for students of mainstream ability who need a specialist environment due to their autism.

At Ellesmere College we understand that students with communication and interaction needs require the following:

1. A low stimulus, low anxiety environment.
2. Small class sizes (5)
3. Reduced academic pressure with capacity to achieve potential in specific areas.
4. Flexible curriculum with capacity to focus on students' special interests.
5. Explicit social interaction education.
6. Age appropriate visual communication as standard.
7. Explicit life-skills education.
8. Explicit emotional regulation education.
9. Explicit education and therapy for mental health/anxiety often associated with autism.
10. Sensory diets as part of personalised curriculum.

11. Highly trained experienced staff with exceptional knowledge of ASD and associated needs.
12. Individualised therapy plans.
13. Individualised curriculum informed by their EHCPs.
14. Use of specialist spaces such as intervention/sensory rooms.

**The curriculum:**



Ellesmere Knighton Fields will offer a **holistic** education, **personalised** to each student’s EHCP and individual interests, talents and needs. Academic learning will have an emphasis on English and Maths as children with ASD often need additional time to master these skills but do have the potential to achieve at a high level. Foundation learning will be tailored to the individual student to match their interests through project work and will incorporate statutory subjects such as Science and Physical development. The specialist rooms at the Knighton Fields Centre will enable these subjects to be taught to a high standard.

Appropriately challenging accreditation opportunities will be available across all subjects. At Ellesmere we divide our curriculum into academic pathways dependent on ability. Once students are identified for the provision this will also be the case at Ellesmere Knighton Fields to ensure all students study a programme to meet their academic potential.

The P4A aspect of the curriculum will incorporate life-skills, independence training, outdoor learning, forest school and enterprise, allowing the children to develop skills to access society to the best of their abilities. We will continue to work closely with a small group of high-quality alternative

providers which will enable students to access animal care, hair & beauty, construction and equestrian skills. However, we envisage that the majority of the curriculum will be delivered on site by Ellesmere staff, thus keeping the costs down and ensuring all staff are trained to a high level with regards to Autism.

The unique selling point of the Ellesmere Knighton Fields curriculum is **Therapy** and **holistic** learning.

Each child will have an **individual therapy and communication plan** which will be informed by their EHCP. We believe that therapy is most effective only when fully embedded into the 'all day, everyday' engagement and communication opportunities of our students at school and at home. Therapists will include the following:

The **Occupational Therapist** will aim to promote each pupil's participation, functioning, and independence in learning, play, and self-care activities. This involves looking at: the pupils themselves and their individual capacity across a range of skills; the activities in which they want, need or are expected to take part; and the extent to which the environments around the school support their participation and independence. The OT will also provide a sensory diet plan for each individual which can be carried out by the class team as part of the daily routine.

The **Speech and Language Therapist** will aim to ensure that each pupil has a functional mode of communication, and develops their expressive and receptive language skills. Communication is an essential life skill that is central to how we express our needs, emotions and ideas, build social relationships, and learn new skills and is relevant across all academic abilities.

The **Counsellor** will work with each and every child to develop strategies for self-regulation and self-expression. We recognise that anxiety is a key aspect of ASD and the counsellor will be able to support children in this area.

The **CAMHS practitioner** will be the gatekeeper to CAMHS services and will support students and parents linking with the mental health service. They will also be able to work with families where the student does not quite meet the threshold for CAMHS support.

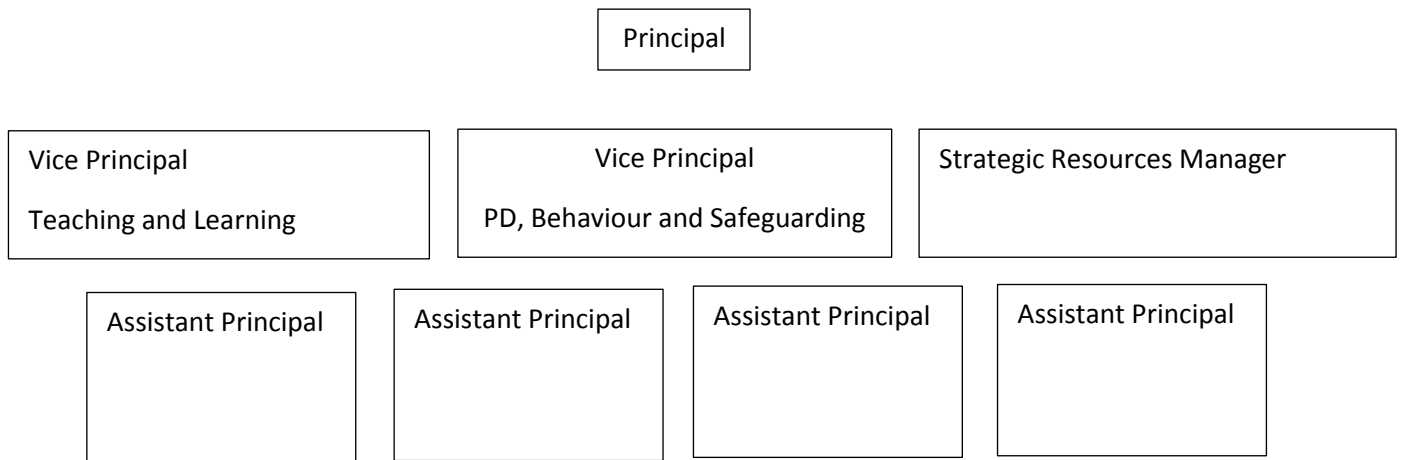
The Family Therapy sessions will be run by our **therapy team**. This will enable families to fully understand the needs of their child and address their own trauma through the process so far.

Additional therapies will be considered and introduced on a case by case basis.

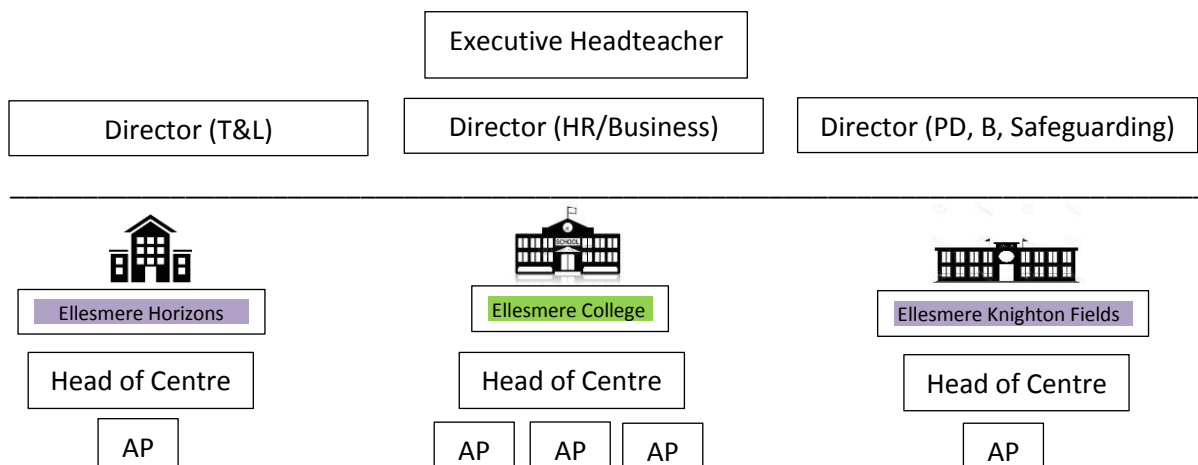
Flexibility across the sites will be a major advantage allowing children to access specialist provision on our main site, such as bike maintenance, outdoor learning and use of the BMX track.

## How will Ellesmere evolve to ensure effective leadership capacity?

### Current SLT Structure:



By expanding the existing leadership team by just 4 roles, we feel confident that we could efficiently run all three sites to a very high standard. This will be achieved by mirroring a leadership structure favoured by other multi-site provisions.



The executive headteacher and director roles are integral to the success of all three sites, ensuring consistency of approach and maintaining the Ellesmere ethos and standards. Heads of centre will be tasked with the day to day running of sites, with strategic responsibilities resting with the exec head and directors.

### How we would use the building?

Our plan for the curriculum can be implemented through minor changes to the existing building plans. No internal structural alterations will be required, just change of room usage to create more classrooms and create a more conducive learning environment. For example, the room identified as an ICT suite, can be repurposed as a standard classroom.

Outside space is vital for this type of student. We will need a social space/playground which looks as though it can be incorporated in a secure area to the rear of the building.

The use of specialist areas and intervention spaces will allow us to deliver the curriculum as outlined above.

### **Support and training:**

All staff to be trained to AET (Autism Education Trust) level 2 standard and TEACCH methodology before opening. (potential delayed start of term to accommodate)

1. Close links and support through the LCI team.
2. All staff to be trained in Team teach before opening.
3. Consultancy from Mike Pride Executive Headteacher at Kings Mead School, Derby and/or Lead teacher for MAP (Maplewell Autism Provision)
4. Register with National Autistic Society and begin accreditation process to ensure set-up meets criteria.



### **Future:**

Whilst the site is currently suitable for the accommodation of 60 pupils with communication and interaction needs, I think the building has potential growing space. Some of the learning areas are very large and could be divided to create smaller learning environments which still meet the occupancy requirements (32.5m<sup>2</sup> for 5 students). This will help to meet the growing need for pupil places in the city.

Whilst there are not plans for Post-16 provision at Ellesmere Knighton Fields, there is potential for close links with our Post 16 provision at The Rowans. Students from Ellesmere Knighton Fields may be able to progress to Horizons.

### **Things to consider for a site visit:**

Playground and outside space – Need to secure the rear courtyard.

Securing the site (fencing, fobs, CCTV)

Parking – 40+ cars.

Minibus provision and parking.

### **Further considerations**

Is additional funding included for resources including furniture, intervention/sensory/ICT equipment?

Will there be any additional funds to acknowledge that we will have the running costs for 3 sites, of which 2 are old buildings?

Funding will need to be in place from January to secure staffing.

Are utilities completely separate to Millgate bearing in mind that the buildings are linked?

Have the plans for the kitchen been agreed? (Still in abeyance on the plans)

In order to be ready for January, we would need a decision by September to realistically achieve the restructure and recruitment required to fulfil such an ambitious project in a relatively short space of time.

## Appendix 7

SEND Support Service

Pindar Road, Leicester LE3 9RN

Tel: 0116 454 4650

Email: SENDSS@leicester.gov.uk



### Knighton Fields Centre- ASD Provision

#### Summary and Recommendations

This document relates to an executive decision undertaken on the 6<sup>th</sup> December 2018, which approved the release of £3,573,700 from the capital programme policy provision to fund the expansion of Millgate Special School (MSS) which specialises in Social Emotional and Mental Health by 60 places, through the development of the Knighton Fields Centre (KFC) which is a vacant building attached to the school. The increase in capacity (60 places) was to provide for children and young people with communication and interaction needs.

In the recent year, following greater data gathering in SEND it became apparent that the types of placements currently being planned for the expansion we no longer in line with those required in the city. Therefore, both Millgate Special School and Ellesmere College were approached and asked to propose if and how they could meet the needs of this group of young people. Senior SEND staff also laid out the types of curriculum, environment, staffing and skills needed to best provide for this cohort.

This document compared the responses from both special schools with the recommendations made by SEND Specialists.

In conclusion it is our view that the school best placed to take the KFC forward would be Ellesmere.

This is because:

- Ellesmere already has the staff and skills in place and a proven track record of successfully meeting the needs of the more complex ASD CYP identified in the proposal
- Ellesmere have experience in delivering an appropriate curriculum for the more complex ASD CYP identified in the proposal
- Ellesmere are proposing to run this as a discrete ASD provision, that would link in with the existing Ellesmere offer including progression into an established Post-16 provision

**It is our recommendation that the LA should work with Ellesmere to develop the ASD provision at the Knighton Fields Centre.**



Notwithstanding this, we would recommend that we do support Millgate to maintain the additional places (PAN) they already have.


This is because:

- Millgate have made a clear commitment to developing provision for less complex ASD CYP (16 placements at present)

- Millgate have made a clear commitment to developing staff and providing CPD to meet the needs of the current cohort
- Millgate continues to offer an excellent SEMH provision and the LA would support the continuation and expansion of Millgate in line with the anticipated rise in SEMH placements required in Leicester City.

**It is our recommendation that the LA work with the Millgate to look at the options available for maintaining the additional PAN they currently have comprised of 16 placements for CYP with ASD and the 16 primary placements.**

Proposal Comparison		
SEND recommendations	Millgate Proposal	Ellesmere proposal
	 <p>Millgate School - KFC proposal.pdf</p>	 <p>KFC%20Proposal%20Ellesmere%20Knigh</p>
Provision		
<b>Environment:</b> <ul style="list-style-type: none"> <li>• Calm (both physically and in staff behaviours)</li> <li>• Communication friendly, clear visuals</li> <li>• Well-structured environment, with consistent routines</li> <li>• Signing environment</li> </ul>	<ul style="list-style-type: none"> <li>• Nurturing environment</li> <li>• Bespoke timetables</li> <li>• Small cupboard sensory room</li> <li>• Class sizes for ASD of 5/6</li> </ul>	<ul style="list-style-type: none"> <li>• Age appropriate visual communication as standard.</li> <li>• Small class sizes (5)</li> </ul>
<b>Sensory friendly:</b> <ul style="list-style-type: none"> <li>• Appropriate outdoor sensory equipment</li> <li>• Sensory room that can be adapted to high sensitivities or low sensitivities</li> <li>• Individual sensory diets</li> </ul>	<ul style="list-style-type: none"> <li>• Experience of working with food phobic children</li> <li>• We have staff trained in music therapy working to develop interaction and engagement through intensive sound along with vibration-based music therapy during lessons to encourage engagement and reaction.</li> <li>• Staff have also had practical and</li> </ul>	<ul style="list-style-type: none"> <li>• A low stimulus, low anxiety environment.</li> <li>• Sensory diets as part of personalised curriculum.</li> </ul>

	<p>effective ways of using multi- sensory equipment in which informs planning and delivery. Sensory stories, sensory workshops, gross motor skills and Lego therapy to support everyday development, learning and play for CYP need for sensory stimulation.</p>	
<p>Cognition:</p> <ul style="list-style-type: none"> <li>• Multi-sensory curriculum (all lessons need to be sign/visually supported)</li> <li>• Learning opportunities for CYP functioning at a 36-48 month level, this will mean objects of reference and symbols will need to be consistently used through the whole school day (inc. breaks and lunchtimes)</li> <li>• Using 4 or 5 word sentences</li> <li>• Blanks Levels of Questioning max. Level 2 only i.e. can only answer what and who questions</li> <li>• Life Skills (PfA) will need to include skills such as toileting, feeding, managing menstruation and puberty</li> </ul>	<ul style="list-style-type: none"> <li>• Pillars curriculum</li> <li>• We create a KS4 timetable around the individual needs and destinations of our students, ensuring that if we have one student who is passionate about drama, we make that happen.</li> <li>• Challenge students to channel their efforts into subjects and vocations they feel passionate about as part of PfA</li> <li>• This is due to clear planning and goal setting that is linked to their individual targets as set out in their education, health and care plans.</li> </ul>	<ul style="list-style-type: none"> <li>• Explicit life-skills education.</li> <li>• Individualised therapy plans.</li> <li>• Individualised curriculum informed by their EHCPs.</li> <li>• Reduced academic pressure with capacity to achieve potential in specific areas.</li> </ul> <p>The curriculum:</p> 

	<p><u>Millgate would create:</u>          Their own on-site therapy team          They would like to develop a restaurant and conference space run by pupils.</p>	<p><u>Ellesmere would create:</u>          The unique selling point of the Ellesmere Knighton Fields curriculum is <b>Therapy</b> and <b>holistic</b> learning. Each child will have an <b>individual therapy and communication plan</b> which will be informed by their EHCP. We believe that therapy is most effective only when fully embedded into the 'all day, everyday' engagement and communication opportunities of our students at school and at home.</p>
<p>Interactions:</p> <ul style="list-style-type: none"> <li>• Emotional regulation</li> <li>• Limited physical interventions</li> <li>• Developing Emotional Literacy</li> <li>• Helping CYPs with low cognitive ability to recognise, manage and communicate their anxieties</li> <li>• Using special interests to support learning and interaction</li> </ul>	<ul style="list-style-type: none"> <li>• Use of sensory cupboards for ASD CYP.</li> </ul>	<ul style="list-style-type: none"> <li>• Use of specialist spaces such as intervention/sensory rooms.</li> <li>• Flexible curriculum with capacity to focus on students' special interests</li> <li>• Explicit emotional regulation education.</li> <li>• Explicit education and therapy for mental health/anxiety often associated with autism.</li> <li>• Explicit social interaction education.</li> </ul>
<p><b>Staffing</b></p>		
<p>The needs of this group would be best catered for by staff who are:</p> <ul style="list-style-type: none"> <li>• Highly skilled and experienced in meeting the needs of CYP with complex ASD. Preferably with a</li> </ul>	<ul style="list-style-type: none"> <li>• Staff trained in:             <ul style="list-style-type: none"> <li>○ Makaton</li> <li>○ SOLAR</li> <li>○ Read/Write Inc</li> <li>○ PECS</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Head teacher with ASD masters and practical experience of running ASD settings</li> <li>• Highly trained experienced staff with exceptional knowledge of</li> </ul>

<p>higher level qualification in Autism</p> <ul style="list-style-type: none"> <li>• A strong track history of supporting these CYP (both at an operational and strategic level).</li> <li>• Strong background in meeting the needs of pupils with a low cognitive ability (MLD, SLD, Speech and language)</li> <li>• History of close collaboration with SALTs and Occupational Therapist</li> <li>• Staff qualified and skilled in: <ul style="list-style-type: none"> <li>○ Team Teach</li> <li>○ TEACCH</li> <li>○ PECS</li> <li>○ AET (at least Level 2)</li> <li>○ ELKLAN</li> <li>○ Personalised Sensory Diets</li> <li>○ Makaton Trained (or other signing methods)</li> <li>○ Effective use of a sensory room (to meet individual sensory needs)</li> <li>○ ELSA trained TA</li> <li>○ SCERTS training</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>○ ASD</li> <li>○ Social stories</li> <li>○ TAPPAC</li> <li>○ AET good Autism</li> <li>○ personality disorder</li> <li>○ Lego Therapy</li> <li>○ CAMHS</li> <li>○ Adult mental health</li> <li>○ counselling</li> <li>• 2 Leaders NPQH</li> <li>• Experience in mediation</li> <li>• Therapist would include the following: <ul style="list-style-type: none"> <li>○ SALT</li> <li>○ Occupational Therapist</li> <li>○ Close links and support through the LCI team.</li> </ul> </li> </ul> <p>Proposed CPD:</p> <ul style="list-style-type: none"> <li>• Talk Boost</li> <li>• Colourful Semantics</li> <li>• SCERTS</li> <li>• Language for thinkers</li> <li>• Think it, Say it</li> <li>• Zones of Regulation</li> <li>• Word Aware</li> <li>• 1&amp;3 day Speech and language courses</li> <li>• Widgets</li> <li>• Drum Therapy</li> </ul>	<p>ASD and associated needs.</p> <ul style="list-style-type: none"> <li>○ PECS</li> <li>○ Makaton</li> <li>○ ELSA</li> <li>○ Sensory Diets</li> <li>○ AET</li> <li>○ TEACCH</li> <li>○ SCERTS</li> </ul> <ul style="list-style-type: none"> <li>• Therapists will include the following: <ul style="list-style-type: none"> <li>○ Occupational therapist</li> <li>○ SALT</li> <li>○ Counsellor</li> <li>○ CAMHS Practitioner</li> </ul> </li> <li>• All staff to be trained to AET (Autism Education Trust) level 2 standard and TEACCH methodology before opening. (potential delayed start of term to accommodate)</li> <li>• Close links and support through the LCI team.</li> <li>• All staff to be trained in Team teach before opening.</li> <li>• Consultancy from Mike Pride Executive Headteacher at Kings Mead School, Derby and/or Lead teacher for MAP (Maplewell Autism Provision)</li> <li>• Register with National Autistic</li> </ul>
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		Society and begin accreditation process to ensure set-up meets criteria.
Risk/Benefit		
School	Risks	Benefits
Millgate	<ul style="list-style-type: none"> <li>• Not currently got experience of this cohort of pupils with complex ASD</li> <li>• Would take time to implement and embed new skills and practice</li> <li>• Would require significant new staffing and extensive training for these staff</li> <li>• Wouldn't be a separate section to the school but an expansion of current provision (CYP with SEMH and ASD interacting closely)</li> <li>• Would need to develop a new curriculum to cater for the needs of these CYP</li> <li>• Millgate don't currently provide KS5 (but would like to explore how they can use KS5)</li> <li>• Millgate have only recently accepted some female pupils and have limited experience in this area.</li> <li>• No capacity to increase the growing number of SEMH CYP in Millgate because of diversifying into ASD.</li> </ul>	<ul style="list-style-type: none"> <li>• Managed well with current additional cohort of ASD pupils</li> <li>• Expansion of SEND provision</li> <li>• New cohort for complex ASD for Millgate (expansion of knowledge and skill set)</li> <li>• Have connectivity with Special School and ASD specialist to provide support and advice</li> <li>• Work closely with LA SEND Teams</li> <li>• Millgate have been involved in the renovations and worked closely with contractors on the design of the building</li> <li>• Current Millgate Head teacher and senior staff, keen to work with LA and adapt to needs of CYP.</li> </ul>
Ellesmere	<ul style="list-style-type: none"> <li>• Would be creating a new provision on a different site</li> <li>• Potential for legal challenge</li> <li>• May be short delay in the opening of the provision as Ellesmere have not been involved in the development to date.</li> </ul>	<ul style="list-style-type: none"> <li>• Already have experience, staffing and skills in place to accommodate this more complex cohort of pupils</li> <li>• Expansion of existing provision and cohort</li> <li>• Continuation of curriculum as this currently being delivered in main school site.</li> <li>• Specialised ASD unit which could cater for these CYP separately from the main school</li> <li>• Able to cater for ASD trends/demands in the city and place CYP appropriately across school sites.</li> </ul>

		<ul style="list-style-type: none"> <li>• Work closely with LA SEND Teams</li> <li>• Post 16 provision within school enabling suitable CYP to progress to KS5 within the same school</li> <li>• Experienced at PfA</li> <li>• Experienced at working with girls and supporting personal care needs</li> <li>• Head teacher and senior staff, keen to work with LA and adapt to needs of CYP.</li> </ul>
<p>December 2020          Sophie Maltby, Head of Service- SEND Support          Pauline Killoran, Head of Service- SEND Integrated Services (0-25)</p>		

## **Appendix 8. Email to Chris Bruce 10.11.2020**

**Chris,**

We hope you are well.

We are writing to update you on the Knighton Fields Centres. As you know from our discussions together with your academy sponsor and the RSC in July, we have formally confirmed in March 2020 to your legal team that as part of the academy conversion process the KFC site would not form part of the site to transfer to the School upon conversion and this is currently reflected in the agreed draft lease/Community Transfer Agreement (CTA) between all parties. On this basis the authority has also not commenced the statutory expansion notification process.

The KFC development is currently scheduled to complete in April 2021 and the Local Authority is therefore currently considering the available options for the future use of the Knighton Fields Centre (the KFC). As you will be aware a significant investment of public funds has been made redeveloping the site. In addition, the objective of developing the KFC was to increase capacity of special school places within the City and to be able to place City children within the City, reduce the number of children at out-of-City non-maintained schools and reduce the costs of this provision to the Local Authority. It is therefore, ultimately a decision for the Local Authority as to how best to utilise the KFC.

Pursuant to Sections 13 and 14 of the Education Act 1996, the Local Education Authority has the responsibility to secure that there are sufficient schools within the area, that are sufficient in number, character and equipment to provide for all pupils the opportunity of appropriate education. Since January 2020 the authority has been carrying out a review of pupil place planning in relation to the sufficiency of SEN places, in order for the authority to understand the changing special education needs of children in the city and what provision needs to be in place to meet these needs. These studies have identified a number of clear gaps in provision within the city in relation to a co-hort of ASD children, who we do not currently have sufficient provision for, and this was made more apparent by two recent high profile cases in the city where no schools could meet need.

We were hoping we could meet with you within the next week to initially discuss the sufficiency issue we have as an LEA, and how Millgate can best support helping to meet this.

Please let Carol know when you would be available.

**Kind Regards**

**Richard Sword**

Director  
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## **Appendix 9. Confirmation of Discussion with Chris Bruce 17.11.2020**

**Both,**

Thank you for a productive call yesterday to discuss the sufficiency need and the changing needs of the ASD profile in the city. Enclosed is the confirmation letter I agreed I would send over to you both.

In terms of a proposal from Millgate, I do not want to be too prescriptive on this so please add to this as you feel necessary, however, to help, I think the headlines would be as follows:

- Why is Millgate the right school for taking on the Knighton Fields Centre Project?
- What history and experience does Millgate have with these types of pupils,
- Qualifications of staff to support these types of students,
- Staffing structure,
- How you see the curriculum/provision/environment/working to meet the needs of these children,
- How you see the space and interaction working to meet need,
- Future plans and development for KFC?

Can I ask for the enclosed to be provided by next Tuesday 24<sup>th</sup>, if that is not possible, just let me know.

Any concerns please let me know.

**Kind Regards**

**Richard Sword**

Director

Capital Programmes

## **Appendix 10. Letter to Chris Bruce 17/11/2020**



Millgate  
Confirmation Letter

## Appendix 11. Millgate Chronology

Millgate Chronology		
Date	Communication/Contact	Who
6/12/2018	Informal Executive discussion	
05/20 (appendix 1a,1b & 2)	Sufficiency data	RS
3/20	Formal confirmation from LA <ul style="list-style-type: none"> <li>KFC would not form part of the site to transfer upon academy conversion</li> </ul>	RS
7/20	Discussions with RSC and Academy Sponsor <ul style="list-style-type: none"> <li>confirming KFC would not form part of the site to transfer upon academy conversion</li> <li>also that the authority has also not commenced the statutory expansion notification process.</li> </ul>	RS
10/20 (appendix 1a,1b & 2)	Sufficiency data update	RS
10/20 (appendix 3)	KFC - ASD provision	SM
22/10/2020 (appendix 4)	Informal Executive Update	RS
10/11/20 (appendix 8)	Email to CB <ul style="list-style-type: none"> <li>explaining LA considering available options for KFC</li> <li>sufficiency issue re ASD pupils</li> </ul>	RS
16/11/20	Meeting with Millgate School Senior Team & CB <ul style="list-style-type: none"> <li>explained changing needs in the city and asking Millgate School if they feel they could meet these needs</li> </ul>	RS/SM/PK
17/11/20 (appendix 9 &10)	Email/Letter to CB <ul style="list-style-type: none"> <li>Outlining formal engagement with Millgate re the sufficiency issue</li> <li>Specification requirements</li> <li>Information on proposal requested from Millgate to resolve this sufficiency issue</li> </ul>	RS
20/11/20	Meeting with Sara Marsh – HT and Senior leadership Team at Millgate School	SM/PK
15/12/20 (appendix 7)	Data Analysis – comparing the Millgate School and Ellesmere College submissions	SM/PK