



Department  
for Education

# **Birmingham Special Free School (SEMH/ASC)**

**Contextual information for applicant  
groups applying to open a new  
Special Free School**

**Birmingham City Council**

**May 2023**

## OVERVIEW

The Department for Education is inviting applications from proposer groups to open a new special free school (SEMH/ASC) in Birmingham.

Applicant groups can access the key school specification information, along with the full 'How to Apply' guidance, on [GOV.UK](https://www.gov.uk). You should read these documents carefully before completing mandatory pre-registration.

The school specification document sets out the key factual details about the proposed school, including the proposed size, SEND designation, age range, suggested top-up funding, and proposed site.

**This document** provides applicant groups with additional contextual information provided by Birmingham City Council, which includes:

- The rationale, context and need for the school;
- Details on the commissioning of places, including the involvement of any other LAs commissioning places;
- A brief description of the existing provision in the area;
- Future expected growth in pupil numbers; and
- How the LA expects places within the school to be filled.

The Local Authority will be leading engagement events for potential sponsors. Please contact [ediplaceplanning@birmingham.gov.uk](mailto:ediplaceplanning@birmingham.gov.uk) for further information.

## **RATIONALE, CONTEXT AND NEED FOR THE SCHOOL, INCLUDING PROPOSED COMMISSIONING ARRANGEMENTS**

In May 2021 following a Special Educational Needs and Disabilities (SEND) revisit by Ofsted and the Care Quality Commission (CQC), the Department for Education (DfE) appointed a commissioner to hold Birmingham City Council to account in its required SEND improvements. Birmingham prepared an Accelerated Progress Plan (APP) to demonstrate how the local area will resolve the 12 out of 13 areas of significant weakness where the revisit had found sufficient progress had not been made from the original inspection (2018).

Working closely with parents and carers, the SEND Improvement Programme is shaping the vision for more localised support and provision for Birmingham's children and young people. We believe that school learners should be educated with others their age in a local school which is properly equipped and fit for purpose.

Birmingham's SEND Strategy vision is going to deliver:

- the right climate through clear policy, resource deployment and culture to ensure staff have the confidence, expertise to identify, assess and meet the needs of children with SEND, with access to specialist support to enable them to achieve high quality outcomes.
- have a Quality Assurance Framework to achieve the best possible outcomes for children and young people.
- maximise the use of resources and provision so that those with SEND receive the right support at the right place at the right time.
- develop strong partnerships within local areas.
- facilitate in house provision with local organisations, stakeholders, and partners.

We have refreshed our SEND forecast and are in the process of co-producing each phase of development for our SEND Strategy, Inclusion Strategy and Sufficiency Statement with key stakeholders. The SEND Strategy will address and support a collaborative review of all schools and settings to ensure that every school is supporting the right child, having the right placement at the right time.

Since the 2021 revisit, our Accelerated Progress Plan (APP) and Developing Local Provision strategy (DLP) have been key components of the response to meet the needs of Birmingham students more effectively. The development of the local SEND strategy will ensure we are focused on:

- CO-PRODUCTION - families have told us they would like more special provision closer to home.
- CHILD CENTRED SERVICES and REDUCED WAITING TIMES - support should be provided when need is identified without having to wait until after a diagnostic assessment.
- GRADUATED APPROACH – working with families and professionals to increase capacity at a universal level with clear pathway to specialist services only when necessary.

- **DEVELOPING LOCAL PROVISION** - The DLP programme is supporting schools and settings to feel confident and competent to identify, assess and meet the needs of CYP with SEND. This initiative will enable more children to achieve excellent outcomes in mainstream settings as part of the graduated approach.

The sufficiency of appropriate school places is an essential component of the SEND Strategy. BCC has recently commissioned its SEND forecasting which indicates an increasing and sustained demand for SEND places (pupils with EHCP) between now and 2030/31 across different setting types. As part of the SEND Sufficiency work, we will need to create additional special school places as well as build capacity in resource base and mainstream.

Although there are 27 special schools in Birmingham, additional special schools will go towards meeting future forecast need, based on current trends.

Key data points:

- Birmingham currently maintains around 10,700 children's Education and Health Care Plans. The number of new EHCPs finalised per year in Birmingham has continued to grow over the last 6 years by over 600 from 775 in 2018 to 1404 in 2022.
- The 2023 secondary transfer cohort is 20% larger than two years ago. 253 additional secondary special school places were provided for Sept 2022 mainly for ASC needs. We have an additional priority for growth with SEMH to meet our forecast. Appendix A provides a list of the 3 SEMH special schools currently in Birmingham.
- In comparison with the national picture, 17.5% of Birmingham pupils have special educational needs or disabilities, which is higher than the England average of 16.3% (DfE dataset).
- 3.5% of 2-19 year olds in Birmingham have an EHCP compared to a national average of 4%. Currently around 9,500 children and young people with EHCPs are aged 2-19. Of these:
  - 4,887 pupils attend provision in special schools.
  - 651 pupils attend Resource base provision attached to mainstream schools.
  - 2,720 are taught within mainstream schools.
  - Birmingham is a net importer of pupils; 158 Birmingham pupils attending special schools in other local authorities (OLA); 264 OLA pupils attended Birmingham special schools.

The new free school will work alongside our SEND strategy to meet a number of objectives:

- improve attainment levels with higher expectations and achievement among pupils with SEND.
- promote inclusion and access to relevant support.
- achieve timely and local access to specialist support.
- more local provision, ensuring children and young people are closer to home and their local community thus greater inclusion in the local community.

- reduce number of pupils in out of borough provision and the reliance on more expensive independent provision.
- reduction in exclusions, children without a school place and NEET population.
- better use of specialist provision that meets local needs.
- clear pathways for children and young people with a wide-ranging learning, development and training offer embedded within the offer.
- increased parental confidence with quality of inclusive support within mainstream schools and settings.

The new free school will play a fundamental part in improving the educational opportunities and experience for children with SEMH across the whole education system, through the proposed outreach and assessment function and multi-agency engagement. It will reduce commitments on the high needs block as well as reducing the expenditure on transport to out of borough or independent settings. We look forward to welcoming the proposers to consider this exciting opportunity.

## **EXISTING PROVISION, EXPECTED FUTURE GROWTH IN PUPIL NUMBERS, AND HOW PLACES IN THE NEW SCHOOL WILL BE FILLED**

Our SEND forecasting data has identified SEMH with ASC as one of our key areas for additional places over the next 10 years, particularly at Key Stage 4 and 5.

Birmingham has one secondary special school and two primary SEMH special schools. All three schools support the diverse needs of SEMH including the offer of provision for children with Autism on their roll. The schools also recognise that SEMH presentations can also reflect associated unidentified and unmet social communication and interaction difficulties where Autism good practice is also relevant. Ongoing review of provision will supporting further expertise in the complex interface of ASC and SEMH and contribute to appropriate pathways of provision in the sector.

The new free school will provide 120 SEMH/ASC places, which will meet our need for additional SEMH places and go towards meeting our significant need for additional ASC places with over 1200 special school places needed over the next decade.

Following the closure of one of our secondary SEMH schools, there is a gap in KS4 and KS5 provision. We changed the age range of one of the primary SEMH schools to include KS3 but due to site, educational outcome and leadership challenges, there is no scope to add KS4. The new special school would support the transition to Key stage 4 and 5 and prevent costly independent placements. Its central location will also provide better accessibility and will bridge a gap for pupils with SEMH by creating bespoke transition pathways, preventing pupils becoming disengaged or NEET.

During 2020/21 we carried out capacity surveys of our 27 special schools. Findings:

- The majority of our current special school buildings pre-date the 1960s and many have condition challenges.
- In the last 12 months alone, we have expanded 11 special schools costing nearly £7 million, creating capacity for 253 special school places. Places are filled as soon as they are built; often through tribunal cases. This makes it difficult to create capacity for future years.
- 24 out of our 27 special schools are now considered overpopulated in accordance with BB104 guidance.
- The new free school will provide new places thus ease pressure on existing provisions in the long term.

Birmingham schools face significant pressures with:

- Continued rise in EHC plans finalised in year (1404 between Jan 2022 and December 2022).

- Continued rise in Tribunals (600 new appeals between January to December 2022).
- Increasing waiting times for assessment, diagnosis, and appropriate school placements.
- Supply and retention of SEND staff, including teachers, teaching assistants and school leaders.
- Projected growth in mainstream secondary school places.

The lack of special school places has increased our reliance on the independent sector. Independent schools local to Birmingham are indicating they are full.

A high percentage of the pupils travelling to high-cost independent provision outside of Birmingham have SEMH as their primary need. The new school will reduce our reliance on independent providers thus reduce the risk of further commitments to High Needs Funding block as well as reduce the expenditure on transport to out of borough / Independent - in excess of £7 million by 2025 and by 2029 further estimated cost saving of £19 million.

Reducing travel distance and providing a local school has been raised as part of the SEND Strategy and parental feedback. It will be expected that the school will also provide additional support and learning through outreach work to mainstream settings and to support communities. We expect the sponsor to work closely with Pupil Referral Unit, Alternative Provision schools and 6<sup>th</sup> form colleges to ensure children and young people are not stuck in provision that cannot meet their need.

The new free school will provide 120 KS4 and KS5 SEMH/ASC school places which will go some way towards meeting forecast demand. The proposed location has good infrastructure links, and the site can comfortably house the build and infrastructure for the proposed 14-19 special school. We do not envisage the new school having any detrimental impact on existing special schools and our commissioning arrangements with other settings.

We have carried out an initial Equality Impact Assessment on these proposals to ensure that all factors have been considered, however we do not anticipate a negative impact on other special school or mainstream providers within the city. Improving access to appropriate and local provision will reduce; journey distance and times, number of appeals, number of children out of school, number of exclusions, number of NEETs, waiting times for placement and improve attendance.

The new free school will play a fundamental part in improving the educational opportunities and experience for children with SEMH across the whole education system, through the proposed outreach and assessment function and multi-agency engagement.

In line with our SEND strategy, success will be measured through:

- better transitions and improved progression pathways that support more children achieving outcomes for Preparation for Adulthood (PfA).
- the creation and implementation of specialist programmes of learning more locally.
- recognition of a local workforce, participation and belonging for vulnerable SEND learners.
- locally shared data and knowledge between key professionals.
- skilled professionals available to intervene at the most appropriate time.
- outreach work from Special Schools leading to earlier identification and faster assessments of need.
- better collaborative and local provision.

In addition to the normal attainment and performance measures, key performance indicators will include:

- reduction in the number of pupils with EHCP, SEN or with SEMH excluded from school.
- reductions in the levels of absence.
- reduction in the numbers of pupils who do not attend on a full-time basis.
- reduction in children's journeys to schools.
- better equipped mainstream and resource bases to support greater numbers at SEN support with better skilled staff.

The demand for special school places continues to outstrip supply. There are a large number of pupils currently awaiting a special school place. 107 pupils are out of school requiring a special school place. 195 pupils in mainstream are awaiting special school place. The new free school is part of our robust sufficiency plan to encouraging local placements and reducing the reliance on out of city or independent placements. This will also ensure financial sustainability. Pupils will be funded according to need and in accordance to banding indicators.