London Borough of Hillingdon

HILLINGDON
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SERVICE LEVEL AGREEMENT FOR SPECIALIST PROVISION

8th September 2026

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Service Level Agreement ("SLA"): Hillingdon Specialist Provision

1. Parties

1.1. This SLA ("Agreement") is made between the **London Borough of Hillingdon** of Civic Centre, High Street, Uxbridge, Middlesex, UB8 1UW ("the Council") and the governing body of **Charville Academy** (company number 08451827) whose registered office is at Ashcombe Court, Woolsack Way, Godalming, Surrey GU17 1LQ ("the Provider").

1.2. The two parties named in clause 1.1 are each "a Party" and together "the Parties" to this Agreement.

2. Duration

2.1. This Agreement originally became effective from 8th January 2024 and is intended to be a permanent arrangement and can only be varied by written agreement between the Parties at the annual review meeting held in accordance with clause 16.3. At the annual review meeting, there will be an annual review of the performance, operation and funding of the SRP being provided pursuant to clause 4, which will include a review of the number of places to be commissioned each year.

2.2. This agreement has been updated to include the new specialist Base for children with more complex needs (a Designated unit) in addition to the existing SRP.

2.3. This Agreement will also be reviewed annually pursuant to clause 19 to ensure that children remain at the heart of the SRP described in clause 4, and to respond to any change in legislation, demand or service provision, and any amendments will be agreed by the Parties in writing in advance of any changes being implemented.

2.4. Any proposal to significantly change the provision will be done in line with current DfE Prescribed Alteration Guidance and the formal consultation processes outlined within this. This will include any significant changes including closure of the SRP.

Academies link - Academies: making significant changes or closure by agreement - GOV.UK (www.gov.uk)

3. Intent

3.1. The intent behind this Agreement is to clarify arrangements between the Parties by setting out respective obligations relating to delegated funding and the specialist provision to be made. The working of this Agreement is based on the premise that both the Parties will enter the arrangements in a spirit of partnership and will seek to maximise the benefit from working together. It is not the intention to create any unnecessary bureaucracy, and the success of the Agreement arrangements rely on both the Parties being open and reasonable in the usage and monitoring of it.

4. Nature of specialist provision to be made

4.1. The Provider will make inclusive educational provision via a Specialist Resource Provision ("the SRP") meeting the standards and expectations set out in this Agreement for children or

young people with Autistic Spectrum Condition (ASC) (or Autistic Spectrum Disorder (ASD)) who are subject to Education, Health, and Care plans ("EHCPs").

4.2. The Provider will also make inclusive educational provision via a Designated Unit Provision ("the DU") meeting the standards and expectations set out in this Agreement for children or young people with Autistic Spectrum Condition (ASC) (or Autistic Spectrum Disorder (ASD)) who are subject to Education, Health, and Care plans ("EHCPs").

4.3. The SRP and DU will both be a centre of excellence for children or young people with a primary diagnosis of Autistic Spectrum Condition (ASC) (or Autistic Spectrum Disorder (ASD)). The purpose of the provision is:

- to form an important part of a graduated approach to meeting needs locally
- to meet the needs of the children or young people within the SRP and the DU, providing personalised support to enable them to make good progress in all areas of their development
- to build capacity across the Provider, ensuring that all staff across the Provider have the skills and expertise they need to meet the needs of the children or young people when they are accessing the wider school curriculum and
- to work with other schools across the local area to support them to meet these types of needs within their own schools, improving outcomes for children or young people across the local area and the London Borough of Hillingdon.

5. Principles

5.1. The Provider will support and deliver the principles set out in the special educational needs and disability ("SEND") Code of Practice 2015 (and any subsequent updates or amendments to the code) by operating systems and procedures that support:

- the participation of children, their parent / carers, and young people in decision making
- the early identification of children or young people's needs and joined up early intervention across education, health (universal and specialist) early help, and social care services as appropriate to need to support them
- greater choice and control for young people and parent / carers over support
- collaboration between education, health, and social care services to provide support, including the development of jointly commissioned services
- high quality provision to meet the needs of children or young people with SEND
- a focus on inclusive practice and removing barriers to learning and
- successful preparation for adulthood, including independent living and employment. (SEND Code of Practice 2015, paragraphs 1.1 and 1.2)

It is expected that all parties work together collaboratively to ensure the principles within the special educational needs and disability ("SEND") Code of Practice 2015 are adhered to, and all parties will take responsibility to deliver the service in the spirit of these principles.

5.2. The Provider will support delivery of the key priorities and strands of the Council's SEND Strategy and framework (and any subsequent updates or amendments to the strategy and framework). Current draft attached.



Final Version SEND Strategy 2023 schools

5.3 The Provider will ensure compliance with the local Safeguarding Board (https://hillingdonsafeguardingpartnership.org.uk/) guidance.

6. Admission and Transition Guidance
Guidance for Admission

6.1. All children or young people in the SRP or the DU will have an EHCP, stating autistic spectrum disorder (ASD) as a primary need.

6.2. The Provider will, through the consultation process, reserve the right to determine the suitability of children or young people for the provision in line with the SEND Code of Practice 2015 (and any subsequent updates or amendments to the code), and take into consideration any additional learning difficulties outside of their specialism.

6.3. The Council will work with the Provider to determine child or young person cohorts. Where either the parent / carer or the Council expresses a preference for a placement within the SRP or DU, which is agreed by the Council's SEND Panel as the most appropriate placement for the child, the Provider will be consulted as to whether they can meet the needs within the children or young people's EHCP in line with the SEND Code of Practice 2015 (and any subsequent updates or amendments to the SEND Code of Practice 2015).

6.4. Children or young people in the SRP or the DU will be able to access the mainstream curriculum at varying levels of participation but may need it presented in a specialised and flexible way with opportunities for consolidation and adaptations which meet their specific needs.

6.5. Children or young people in the SRP will be able to progress towards accessing mainstream sessions (with support as appropriate to individual needs) as appropriate in agreement with the child or young person ("CYP"), parent / carer, the Council, and the Provider in the best interest of the CYP.

6.6. Children or young people in the DU will be far less able to progress towards accessing mainstream sessions due their more complex needs (with support as appropriate to individual needs) However, in agreement with the child or young person ("CYP"), parent / carer, the Council, and the Provider, every effort will be made to include them as much as possible in mainstream school activities and events as appropriate where this is in the best interests of the child or young person.

6.7. Children or young people in the SRP and DU are likely to have difficulties with the everyday sensory demands of a mainstream environment and will need to be taught strategies to manage this and have some of their education and social experiences delivered in an environment with reduced sensory input. Many children will need sensory seeking activities planned into their curriculum to reduce anxiety.

6.8. Children or young people in the SRP or DU will need support to develop understanding of social interaction and communication. Perspective taking is two way and adults working with autistic children have a responsibility to develop a theory of autistic mind to support reciprocity in communication.

6.9. Children or young people in the SRP or DU are likely to have high levels of anxiety that inhibit their access to the curriculum and their ability to make progress without a structured environment and support to teach them strategies to manage this.

6.10. It will be clear from their EHCP how attendance at the SRP or DU will support the child or young person in achieving their aspirations (voice of the child or young person).

6.11. Children who are resident in other local authorities will be able to access places within the specialist provision in line with 6.2 & 6.3. All place funding will be provided by the Council, and any top-up funding will be the responsibility of the commissioning Local Authority.

Admissions Process

6.12. Admission to any SRP or DU place will be through agreement at the Council's SEND Panel only. The process for a case to be presented at the Council's SEND Panel is included at **Appendix A** along with the terms of reference for the panel.

6.13. The Council's SEND Panel will only allocate places within the SRP or DU in accordance with the statutory guidance set out in the SEND Code of Practice 2015 paragraphs 9.78 and 9.87 (and any subsequent updates or amendments to the code). Careful consideration will be given to the level of difficulty experienced by each child or young person, the needs of children or young people already in places within the SRP or DU, the relevant year group at the Provider, and the needs of the Provider as a whole.

Guidance for Transition

6.14. The guidance for transition of a child or young person away from the SRP or DU are as follows:

a. Assessment information will evidence that the CYP has made sufficient progress that demonstrates that they would no longer meet the admissions guidance for the type of provision provided at the SRP or DU and could access a local mainstream school (with or without support) or transition from the DU to an SRP as long as space is available.
b. Assessment information will provide evidence that the CYP may meet the admissions guidance for another type of school or specialist provision that might better meet their needs and provide a more suitable peer group.
c. Child reaches the end of year 6. In these situations, it is imperative that planning takes place in at least year 5 and there is a careful transition with visits to the new provision in at least the final term of year 6, or sooner where possible

6.15. An individual transition programme / plan would be required for any child or young person moving out of the SRP or DU, as detailed in the transition guidance 6.14, where consideration may be given to a dual placement in the first instance for some children or young people. Each case will be assessed individually, and a suitable plan agreed with the child or young person, parent / carer, the Council, the Provider, and receiving school.

6.16. The continued suitability of the placement for the child or young person will be considered each year at the annual review of the child or young person's EHCP, or at an interim review if necessary.

6.17. All views will be discussed with, and planned by, the teaching teams, parent / carers and the child or young person in consultation with the Local Authority. If a change in placement is agreed, a carefully planned transition program will be completed to appropriately prepare the child or young person for the next stage in their learning.

6.18. A child or young person on the roll of the SRP or DU will not have an automatic right to a place in the mainstream provision of the school, should a determination of mainstream school placement be determined at the Annual Review, or interim review of the EHCP. Admission to any mainstream school will be in line with the school's admissions criteria.

6.19. A child or young person on the roll of the SRP or DU will not have an automatic right to a place in the other specialist provision of the school, should a determination of a change of placement or support be determined at the Annual Review, or interim review of the EHCP. Admission to any specialist provision will be in line with the relevant panel process.

6.20. All children or young people will continue to receive their agreed funding until the point they transition to their new provision, to ensure they receive the relevant support as necessary from the specialist provision until they leave, and the setting continues to be funded appropriately.

7. Interdependencies / Partnerships / Networking

7.1. Whilst this Agreement is between the Council and the Provider, the Provider is also expected to work with the Council's partners to secure effective support for children or young people attending the SRP or DU with a primary need of Autistic Spectrum Condition (ASC) (or Autistic Spectrum Disorder (ASD)) which includes:

a. A clear multi agency pathway and working partnership
b. Clarity about the support and provision available and how this can be accessed (SEND Information Report)
c. Working effectively with targeted and specialist services / providers, both in working directly with children or young people and in supporting staff who work with them in schools, and a capacity to provide 'added value'
d. Demonstrating impact of professional development and outreach, including sharing effective practice and
e. A willingness among all partners to work positively and effectively together to address issues, problem solve at the individual young person / family and strategic level to improve outcomes.

8. Delegated funding

Number of places commissioned

8.1. The number of commissioned places will be reviewed by the Council annually in the autumn, to meet the Education and Skills Funding Agency ("the ESFA") timescales for submission. The Council will agree with the Provider how many places it will be commissioning for the following academic year (September to August) once this review is complete.

8.2. The number of commissioned places can change annually following the review, and it may be necessary to increase or decrease the number of commissioned places based on the current and forecast demand. The timescale for any change in commissioned numbers will be agreed between both parties and must be in line with 12.7.

8.3. In the unlikely event that the number of places reduces to the extent that the SRP or DU is no longer financially viable, the Provider and the Council will agree the process and timescale for the closure of the SRP or DU, and this Agreement will terminate as set out in clause 21. This agreement would include plans for the transition of children and young people, staffing, resources, and suitable alternate use of any buildings (clause 15). The maximum time for any such closure would be one academic year.

Table 1 – Calculation of overall budget and rate per place for children and young people in National Curriculum Years (NCY's) Reception to 11:

Element 1	Schools block funding is determined by the school's block funding formula pupil led factors (was AWPU and other factors) for the school multiplied by number on roll at October census of the preceding year and paid via the schools' block funding. In 2026 / 27 the minimum rate per pupil funding is £4,470.30if a child is on roll.	This rate may vary from year to year as agreed through Schools Forum If there is not a pupil in the SRP, and therefore the school is not able to receive the pupil led factors (AWPU, etc), £4,000 will be provided in addition to the Element 2 place funding below.
Element 2	Number of commissioned places multiplied by prevailing DfE unit funding value per place (currently £6,000 per place).	This figure is set by the DfE

Element 3	Top up funding for each child or young person placed, based on the needs of the individual child within their EHCP, at the relevant band for the type of specialist provision.	This is paid by the commissioning Council and will reflect the costs of additional support to meet the individual child or young person's needs.

8.4 Unoccupied places at the SRP will be funded at £10,000 per commissioned place based on element 1 and element 2 funding as detailed in the High Needs Funding operational guide 2023 to 2024, (and remain in line with any subsequent updates).
High needs funding: 2026 to 2027 operational guide - GOV.UK

8.5 The relevant section of the guidance is included below for reference:

9.2.3 Special educational needs (SEN) units and resourced provision (RP) in mainstream schools

Many maintained mainstream schools and academies have SEN units or RP attached, or both, offering specialist provision formally recognised by the local authority where the school is located and with high needs places funded by that local authority. Both SEN units and RP are usually for pupils with an EHC plan, but may also provide for pupils without an EHC plan, and often cater for a specific type or types of SEN. They sometimes accommodate pupils registered at other schools on a part-time or temporary basis.

SEN units are special provisions within a mainstream school where the pupils with SEN are taught within separate classes for at least half of their time.

RP consists of places that are reserved at a mainstream school for pupils with a specific type of SEN, taught for at least half of their time within mainstream classes, but requiring a base and some specialist facilities around the school.

Mainstream schools are funded for SEN units and RP through:

- *pre-16 core funding through the local schools funding formula, plus:*
  - *£6,000 per place for those occupied by pupils on roll (that is, recorded on the school census as sole or dual (main) registered at the school*
  - *£10,000 per place for places that are or will be occupied by a pupil registered on the roll of another school, places not occupied at the time of the school census count, but which are likely to be filled and require funding or places for capacity required for another local reason*
  - *£539 per place for a continuation of the grant funding paid to schools in 2025 to 2026 to contribute to the extra costs of the 2025 national insurance contributions increase and support staff and teachers pay awards (see annex 4: the allocation of 2025 to 2026 CSBG and other legacy funding for further information)*
- *post-16 core funding: element 1 (based on the 16 to 19 funding formula) plus element 2 (£6,000 per place) based on the number of places to be funded*
- *top-up funding for pupils with high needs, whose additional support costs more than £6,000, paid by the resident local authority commissioning the placement(s)*

In the case of place numbers for maintained schools with SEN units and RP, the provider local authority determines the total number of places to be funded, taking full account of places that may be commissioned by other local authorities.

8.6 The host Council (Hillingdon) for the school determines in consultation with The Provider, the total number of places to be commissioned. Once agreed, the ESFA pays for funded places directly to academies and free schools whilst payment for funded places to maintained schools will come from the host local authority.

8.7 The review of the Agreement will be held in the autumn each year in line with the review of commissioned places and will consider current and expected number of children or young people. Any agreed changes to the number of pre-commissioned places will need to be agreed with the Provider in the November of the preceding financial year and by Schools' Forum by March of that year. Adjustments to funding for agreed number of places will apply from the following September.

8.8 If at any stage the SRP or DU is full and the Council wishes to place an additional pupil, this will be agreed with the Provider on a case-by-case basis, based on the needs of all children attending, or proposed to attend. If the Provider agrees to any placements above the commissioned number, the pupil top-up will be funded at the pro-rata rate depending on when the child or young person starts in the SRP or DU. Place funding for that pupil will be dependent on individual circumstances for each school, and consideration will be given to the number and complexity of existing children or young people, and any other relevant factors. Such funding to be agreed between the parties prior to the pupil being placed on roll This in line with the DfE High Needs Funding operational guide (High needs funding: 2023 to 2024 operational guide - GOV.UK (www.gov.uk)).

8.9 If children or young people are admitted who have exceptional needs requiring individual items of specialist equipment costing in excess of £1,000 per annum, the Provider should apply to the Council's SEND Panel for a contribution towards the cost of equipment (see the Council's Equipment Policy). Any exceptional requests for funding towards the cost of equipment will also be considered by the Council's SEND Panel. Any other exceptional funding is detailed at 8.21.

8.10 The ESFA's High Needs Operational Guidance explicitly states that the top-up funding must not be used to contribute to or subsidise:

a. overheads attributable to other budgets within the school or college, or that relate to costs that would have had to have been met even if it had no children or young people with high needs for example, the salary of the special educational needs and disabilities coordinator ("SENDCO") required by all mainstream schools
b. the costs of legal action against the Council's decisions on assessment, provision, and top-up funding, including support for parent / carers seeking SEND tribunal judgments on such decisions by the Council, or
c. the cost of educational and other assessments, for example, by educational psychologists.

8.11 Mainstream schools are funded for SEND units and specialist provision (as detailed in table 1) through:

a. pre-16 core funding
b. a combination of per-pupil funding through the local schools funding formula and
c. £6,000 per place for the total number of commissioned places.

In addition, funding of £10,000 per place will be paid for the remainder of places commissioned.

8.12 The ESFA's High Needs Operational Guidance also states that Place funding is allocated as an annual amount of core high needs funding. Once place funding is allocated, it is not associated with or reserved for a specific local authority or individual pupil or student. It is for the school or college to decide how best to apportion their total allocated place funding across

the actual number of places commissioned by local authorities, considering the provision and support that may be specified in the individual pupils' or students' EHC plan.

8.13 Place funding is not withdrawn if an individual does not occupy a funded place. It provides all eligible schools and colleges with a guaranteed budget for the year and gives them a degree of financial stability. A local authority may not seek to recover funding for places which it perceives as being unused from the previous or current academic year. Similarly, local authorities should not automatically be charged an extra £6,000 or £10,000 per head top-up funding for a pupil or student with high needs if a school or college has filled all funded places (irrespective of which local authority has filled them).

8.14 Where there are changes to specialist provision at academies and free schools, such as new specialist provision, this must first be approved through the significant change process. A signed deed of variation must be received from the academy / school trust so that place funding can be reflected in the relevant academic year allocation from the DfE.

8.15 Pre-16 places at a specialist provision that are occupied by children or young people recorded on the school census, as sole or dual (main) at a specialist provision or SRP or DU are funded at £6,000 per place. Children or young people in these places will also attract funding through the mainstream school formula.

8.16 In the unlikely event that commissioned places remain unoccupied they will be funded at £10,000 each for the period they remain unoccupied in line with the High Needs Funding Operational Guide. This may apply where the place is not occupied at the time of the school census count, but is likely to be filled, and requires funding, or spare capacity is required for another reason.

8.17 Top-up funding will be provided for all children or young people on roll and attending the SRP, equivalent to £10,000 per child or young person.

Table 2 – Example of funding for 16 place provision @ £10,000

Number of places commissioned	**16**					
	5 Pupils attending		**10 pupils attending**		**16 pupils attending**	
Number of pupils attending	**5**	**Funding**	**10**	**Funding**	**16**	**Funding**
Element 1 @ £4,000 per place	16	£64,000	16	£64,000	16	£64,000
Element 2 @ £6.000 per place	16	£96,000	16	£96,000	16	£96,000
Top up @ £10,000 per place	5	£50,000	10	£100,000	16	£160,000
Total Funding		**£210,000**		**£260,000**		**£320,000**

8.18 Top-up funding will be provided for all children or young people on roll and attending the DU, equivalent to £15,000 per child or young person.

Table 3 – Example of funding for 10 place provision @ £15,000

Number of places commissioned	**10**					
	4 Pupils attending		**8 pupils attending**		**10 pupils attending**	
Number of pupils attending	**4**	**Funding**	**8**	**Funding**	**10**	**Funding**
Element 1 @ £4,000 per place	10	£40,000	10	£40,000	10	£40,000
Element 2 @ £6.000 per place	10	£60,000	10	£60,000	10	£60,000
Top up @ £15,000 per place	4	£60,000	8	£120,000	10	£150,000
Total Funding		**£160,000**		**£220,000**		**£250,000**

8.19 The total number of places funded is based on the outcomes from the place change notification process. The number of places funded at £6,000 per place is calculated based on the number of places commissioned by the host local authority.

8.20 For example, if funding for 10 places was agreed through the place change process, and 12 places were recorded as occupied in the Authority Proforma Tool (APT), a total of 10 places would be funded at £6,000 per place. This is because the place change process is used to determine the place numbers, not the APT. (The APT is how local authorities submit details of their schools funding formulae to the DfE).

8.21 In exceptional circumstances, the Council's SEND Panel have the discretion to agree additional top-up funding if this is to facilitate the admission of a child or young person with severe and complex needs or to prevent exclusion of the child or young person who may otherwise be placed in an out of borough independent provision. This would also apply if the needs of a child or young person increased, and there was an assessed requirement for additional support to maintain the place at the SRP. These cases will be treated on an individual basis and will be with the agreement of the Provider.

8.22 The school will be paid top-ups via the Council's payment system monthly in advance. Top-up payments will be pro-rated based on the period of time the CYP is at the school.

8.23 Payments for commissioned places in maintained schools will be made via the cash advance payments process. Academies and Free schools will receive payments for commissioned places directly from the DfE via their GAG allocations.

8.24 Any change to the place funding and top-up funding rates for all schools and specialist provision must be agreed between the Council and Schools Forum each year through the budget setting process. There will not be an automatic increase, and any decision will take into account all funding received within the Designated Schools Grant (DSG) provided by central government.

9 The Provider's responsibilities

9.1 The SRP is designated as a Department for Education ("DfE") resourced provision with the expectation that children or young people will spend more than 50% of their time in mainstream activities with appropriate support. However, it is recognised that some children or young people – for example, at the point of new admission or times of stress – will need to spend more than 50% of their time in the SRP for a short period of time. The SRP staff will provide a safe and structured learning environment until the child or young person is academically, socially, and emotionally ready to be reintegrated into mainstream lessons.

9.2 The DU is designated as a Department for Education ("DfE") resourced provision with the expectation that children or young people will spend no more than 20% of their time in mainstream activities with appropriate support. However, it is recognised that some children or young people – for example, at the point of new admission or times of stress – will need to spend more than 80% of their time in the DU for a short period of time. The DU staff will provide a safe and structured learning environment until the child or young person is academically, socially, and emotionally ready to be reintegrated into mainstream lessons.

9.3 The Provider's teachers will plan for children or young people in the SRP or DU engaging in all class / school activities and children or young people in the SRP or DU will also be supported by the SRP or DU staff. Children or young people in the SRP or DU will, as class members, also be supported by other teaching assistants employed by the Provider.

9.4 All teachers within the Provider are responsible for the delivery of an appropriately differentiated curriculum to meet the needs of children or young people in the SRP or DU. Teachers will need to liaise and plan with the SRP or DU staff who will devise the support

arrangements and modified materials or equipment necessary to facilitate the child or young person's participation in lesson activities.

9.5 The Provider's head teacher and staff are responsible for ensuring that the school environment is safe for children or young people in the SRP or DU. All developments that result in changes to the school environment within the Provider will give due consideration to the impact on children or young people in the SRP or DU.

9.6 The Provider will be responsible for the provision of suitable accommodation such as a specialist provision room(s) and for the maintenance of all specialist facilities and equipment.

9.7 The role of a specialist provision is to support school staff in making inclusive educational provision for children or young people in the SRP or DU.

9.8 The Provider's Head Teacher has overall responsibility for the leadership, management, and development of SRP and DU within the Provider. They may delegate all or part of this responsibility to the SRP or DU staff.

9.9 The Provider's governing body and head teacher will appoint SRP and DU staff with support from the Council's SEND Service (where requested). Staffing for the SRP and DU will, at all times, include a teacher with appropriate experience and training (or who is willing to undertake training).

9.10 The Provider's head teacher will arrange for the performance management of the SRP and DU staff, their continued professional development and essential training, within school systems and processes.

9.11 The SRP / DU teacher / Lead will provide advice, support, and guidance to school staff within the Provider and, where appropriate, other schools on meeting individual children or young people' needs. Working closely with teachers, they will deploy specialist provision support to give all children or young people the best access to the curriculum within the SRP and DU.

9.12 The SRP / DU teacher / Lead will manage the provision of timetabled withdrawal and other planned individual or small group teaching as appropriate to meet individual needs.

9.13 The SRP / DU teacher / Lead will be responsible for the training and deployment of support staff to meet children or young people' needs.

9.14 The SRP / DU teacher / Lead will be responsible for day-to-day management and timetabling of specialist support staff and specialist accommodation.

9.15 The Provider will work closely with parent / carers, with feeder schools, and with the support of the Council at secondary transfer to ensure that children or young people are given adequate support in moving to a new school environment and regime.

9.16 The Provider will prepare all year 6 children carefully for transition into a secondary school. Evidence will be provided by the Provider to demonstrate the preparation for transition as also stated in clause 6.14. and clause 6.15.

9.17 The Provider's SENDCO will be responsible for ensuring that the Provider's statutory responsibilities for children or young people with EHCPs are fulfilled for children or young people in specialist provision places.

9.18 The Provider will develop systems for monitoring and evaluating the quality of education and support provision for children or young people in specialist provision placements, as set out in clause 16.1.

9.19 The Provider will work with the Council in the strategic management of the SRP and DU.

10 Minimum level of staffing, or example model

10.1 The Provider will provide a minimum staffing model for the SRP and DU that will include the following:

- Qualified teacher – 1
  with appropriate experience and training in the designation of the SRP (or in the process of training for the SRP)
- Additional support staff – Minimum of 2
  dependent on the number of children or young people

10.2 The SRP is expected to operate at a staff to child or young person ratio of between 1:3 and 1:2 depending on the needs of the individual children or young people attending the SRP. The exact number of staff will be decided by the Provider based on children or young people needs, and the total funding received through place funding and top-up funding for the children attending the SRP.

10.3 The DU is expected to operate at a staff to child or young person ratio of around 1:2 depending on the needs of the individual children or young people attending the DU. The exact number of staff will be decided by the Provider based on children or young people needs, and the total funding received through place funding and top-up funding for the children attending the DU.

11 Therapeutic Interventions for children or young people in the SRP and DU

11.1 The Provider will receive funding for the provision of therapeutic interventions to meet the primary needs of the children attending the SRP and DU in line with their individual EHCP's, within the allocations listed in section 8.

11.2 The Provider will ensure that appropriate therapeutic interventions are in place to meet the requirements detailed in the EHCP of the children or young people attending the SRP and DU and may work with the Council to support the process of commissioning the therapy required.

11.3 The Provider will ensure that staff within the SRP and DU receive support and training to enable them to support the therapeutic needs of the children or young people within the SRP and DU as detailed in their EHCP's.

11.4 Any therapeutic interventions required to meet other needs (not primary needs) of the children or young people attending the SRP or DU will be the responsibility of the Council and the ICB to jointly commission.

12 The Council's responsibilities

12.1 The Council will provide advice to the Provider in relation to the operation of the SRP. Limited support will also be available, which will include at least termly visits from a representative of the Council, which may be one of the following people: SEND Advisory Service ("SAS") Manager / Senior Advisory Teacher, or Advisory Teacher for autism.

12.2 As children or young people in the SRP or DU are on roll at the Provider, they are entitled to an educational psychology service, as are all children on roll at the Provider. If there are concerns that the Provider is no longer able to meet the needs of a child in the SRP or DU and a change of placement is being considered, a referral must be made to the Council's SEND Panel by the Provider to request a review of the support provided, which may prevent a move for the child or young person.

12.3 The Council will monitor the quality of inclusive education provided through involvement by the Council's Education Improvement Service, SAS and SEND service with the Provider and by the scrutiny of Ofsted and other reports on the Provider.

12.4 The Council will ensure that the staff from the Council identified in clause 16.3 below attend the meeting in the summer term to review the Specialist Provision as specified in clause 16.3 below.

12.5 The Council will agree and complete any actions in support of the decisions reached at these meetings.

12.6 The Council will maintain information about all children within the SRP or DU falling within the Council's remit so that it is able to support the Provider in strategic planning for the development of the SRP and DU to meet the needs of children who appear likely to require placement in future years.

12.7 The Council recognises the fact that there are an optimum number of children with additional needs that can be met within the SRP. It is agreed that 16 children or young people's needs can be met within the SRP (preferably 2 or more in each year group). There is the ability to increase this overall number by 2 with the agreement of the Provider and the Council, depending on the needs of the children attending the SRP. This may be a temporary or permanent change. (see the funding provisions in clause 8)

12.8 The Council recognises the fact that there are an optimum number of children with additional needs that can be met within the DU. It is agreed that 10 children or young people's needs can be met within the DU (preferably 2 or more in each year group). There is the ability to increase this overall number by up to 1 or 2 with the agreement of the Provider and the Council, depending on the needs of the children attending the DU. This may be a temporary or permanent change. (see the funding provisions in clause 8)

12.9 The Council will maintain EHCPs and provision for all children or young people placed in specialist provision places.

12.10 The Council will arrange and keep under review transport arrangements for children or young people placed in places within the SRP and DU (with reference to the Council's Travel Assistance Policy).

12.11 The Council will support the Provider to access any necessary services for children or young people with health and social care needs when requested.

13 How long children or young people remain in the SRP or DU

13.1 The length of time a child or young person will spend at the SRP or DU will depend on their individual needs, and their individual EHCP. Regular reviews of the progress of each child will determine if or when they transition to a mainstream or alternative specialist provision, which will be agreed with families, professionals, and in line with their EHCP, and annual review. This will be part of the monitoring process, and all parties involved will work together to support children or young people to transition to new provision in line with their individual plans.

14 Use of Resources and Staffing

14.1 If at any time during operation the SRP or DU is at an occupancy level of less than 60%, the Council will agree with the SRP or DU how children and staff in other schools or settings can be supported through an outreach model from the SRP or DU. This will ensure that the trained staff in the SRP or DU are able to utilise their skills and experience to reduce the demand for places at specialist provisions and continue to support children or young people in their mainstream school or other provision.

15 Capital Investment and Recourse

15.1 Any capital investment by the Council in the Provider to create, adapt, alter, improve, or expand any facilities for the SRP or DU will be carried out with the agreement of the Provider. As part of any such agreement, the Provider will commit to operating the SRP or DU from the date on which the capital investment is provided by the Council, or until the Council ceases to commission any further places. This commitment will ensure that the capital investment from the Council (or the DfE) has been made on a long-term basis and delivers value for money.

15.2 The Council is only likely to cease to commission places if demand for specialist provision reduces, or there is an inadequate judgement from Ofsted at an inspection as outlined in clause 21.2.b. However, a reduction in demand is not likely at the current time, as demand is forecast to continue to increase during the period of this Agreement.

15.3 If the Provider has received capital investment from the Council for the SRP or DU facilities and then at any time the SRP or DU ceases to be operated for any reason, the Council is at liberty to investigate, at an appropriate stage, whether the Provider's building and facilities could still be utilised alternatively to support children or young people with SEND. If investigations by the Council identify a possible alternative use for supporting children or young people with SEND, proceeding with any such use will be subject to agreement between the Parties.

16 Monitoring and evaluation

16.1 The Provider and the Council have a joint responsibility to monitor the implementation of this Agreement and will jointly develop and agree a proportionally rigorous process for monitoring the following areas:

a. The progress of individual children or young people
b. The effectiveness of support provided to children or young people and teachers by the SRP and DU staff
c. Time spent by children or young people in the SRP or DU compared to accessing the mainstream curriculum
d. Preparation for transition for all children or young people, especially those in year 6 or year 11
e. The satisfaction of children or young people and parent / carers
f. The successful recruitment, retention, and training of specialist provision staff
g. The support and cooperation of Social Services, Health, and the Council's advisory services to achieve effective provision for children or young people within the SRP or DU and
h. The deployment of the delegated budget.

16.2 A full day visit will be carried out to the SRP and DU by the Council's Education Improvement Advisory team to complete a Quality Assurance Review Framework review. Please see **Appendix B** for details of the visit. This will inform any discussion and review of the SRP and DU and will be arranged in advance.

16.3 A meeting in the summer term will evaluate the effectiveness of the specialist provision made at the Provider. The meeting will be held at the Provider and arranged by the Council's SAS Manager / Senior Advisory Teacher. The membership of this meeting should include:

a. the Provider's head teacher
b. the SRP / DU Lead / teacher
c. the Provider's inclusion manager / SENDCO
d. advisory teachers from the Council for the autism spectrum and
e. the Council's Team Leader for SEND / Senior Advisory Teacher.

The link governor for SEND will also be invited as an observer.

16.4 The Provider will provide, at least one week in advance of the meeting, monitoring data, including:

a. Information about children or young people on roll, including progress towards individual outcomes in the child or young person's EHCP, and preparation for adulthood, transition, and independence
b. Child or young person achievement data
c. Data collected to survey child or young person, parent / carer and teacher satisfaction with support provided (a questionnaire could be used)
d. Staffing data
e. Out-turn statement for the previous year's delegated budget
f. Any other information which the Provider wishes to be discussed at the meeting.

This is to be able to monitor the progress and performance of children and young people attending the SRP and DU and understand where the funding for the SRP and DU is being allocated.

16.5 The Council will provide at least one week in advance of the meeting, details of known children or young people likely to need placement in the specialist provision in the 2 years following the meeting.

16.6 The Provider will work in partnership with the Council to address any issues arising at this meeting, or suggest any ways to improve outcomes, performance, or value for money. Any variations to this agreement agreed between the parties as a result of these issues will be agreed in writing.

16.7 The Council reserves the right to make unannounced visits to the SRP if there are concerns or safeguarding risks, or for any other reason.

17 Outcomes

Individual Outcomes

17.1 The SRP and DU will record each child's progress toward achieving their outcomes as set out in their EHCP and will use this information for the annual review of the EHCP, and to shape targets for each term and the following year.

Service Outcomes

17.2 The service outcomes are as follows:

a. Reduction in the number of children moving from the SRP or DU to a special school
b. Increase in the number of children moving back to mainstream provision
c. Whole school team within the Provider demonstrating improved skills and knowledge through additional training within the school
d. Other schools across the borough demonstrating improved skills and knowledge through additional training from the SRP or DU
e. School attendance from children or young people in the SRP and DU is above 90%
f. Average attendance in mainstream activities within the school increased, to:
    - 80% or more (for SRP) based on the individual needs of the child or young person
    - Up to 20% (for DU) based on the individual needs of the child or young person

These are initial service outcomes and will remain under review. A full set of service outcomes will be developed in partnership with schools. It is important to note that some

indicators will baseline in the first year of operation, allowing a further review on the measures in future years.

18 New specialist resource provisions

18.1 Not Used

19 Review of the Agreement

19.1 The Council's SAS Service Manager / Senior Advisory Teacher will call a meeting to formally review this Agreement in the autumn of each year, or earlier if exceptional circumstances should necessitate this. The Provider may also request an earlier review if necessary.

19.2 Should there be a significant change or termination of the Agreement, which has substantial financial and management implications for the Provider, the DfE Prescribed Alteration Guidance and the formal consultation processes outlined within this will be followed.

20 Publicity and Social Media

20.1 All publicity regarding the SRP or DU must be agreed between the Council and the Provider before it is made public under all circumstances. This will include all types of publicity including print media, TV, radio, and social media.

20.2 The Provider may share images of day-to-day activities on their website or on social media, and with families, as long as it is not in relation to operational matters, or strategic matters regarding the SRP or DU. Any publicity in print media, or on the radio or TV must be agreed in advance.

20.3 In the interest of transparency and partnership working, the Provider and The Council must contact each other if they have concerns about material they wish to publicise, so that both parties can reach agreement about what can be published or shared.

21 Notice & Contract End Date

21.1 Each Party will have the ability to terminate this Agreement with a notice period in line with the DfE Prescribed Alteration Guidance. This period is to allow a smooth transition for any children or young people attending the SRP or DU. Any termination of this Agreement will be subject to the survival of clause 15.

21.2 Notice may be served for the following reasons, although this is not an exhaustive list, and other circumstances may be applicable at the time:

a. <u>Mutual agreement</u>
It may be agreed between the Provider and the Council that it is not appropriate to continue to offer the SRP or DU on the school premises, at which time agreement will be sought between the Parties to terminate this Agreement in line with the timescales outlined in clause 21.1.

b. <u>Inadequate Ofsted judgement</u>
The Council reserves the right to serve notice on the Provider if the Provider receives an inadequate judgement from Ofsted for the SRP or DU. Attempts will be made to support the Provider to improve, but if the Provider cannot be seen to be improving, the Council will terminate this Agreement.

In these circumstances, the notice period to be given by the Council may be reduced from that stated in clause 21.1 if the safety or welfare of children or young people is adversely affected. This period will be agreed with the Provider.

c. Lack of demand for places
If demand for places at the SRP or DU reduces to an unsustainable level (less than 1 class), the Council will agree a notice period with the Provider to terminate this Agreement.

The Council will review place numbers on an annual basis, and during each academic year, so it is expected that there will be significant time to terminate under these circumstances.

d. Other Reasons
The Provider or the Council may request to terminate this Agreement for other reasons, including a change of mind. Any termination under these circumstances must ensure that the interest of children or young people is of paramount importance when agreeing a termination date, and termination will only be by mutual agreement.

21.3 Any agreements in relation to termination for any reason will be made between the Council and the Provider based on individual circumstances, and the reason for the termination.

21.4 Any proposal to terminate or significantly change the provision will be done in line with current DfE Prescribed Alteration Guidance and the formal consultation processes outlined within this. This is in line with any other changes to the school.

Academies link - Academies: making significant changes or closure by agreement - GOV.UK (www.gov.uk)

21.5 The interest of children or young people must be paramount when agreeing the termination date.

Signed for the Council:

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Director's Name: Abi Preston

Full role title: Director of Education & SEND

Date: 23.09.26

Signed for the Provider:

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Headteacher's Name: Nicola Kelly

School: Charville Academy

Date: 21. 9. 26.

.....

Chair of Governors: Hayley O'Brien

Date: 21.9.2026

Appendix A – The Council's SEND Panel process and Terms of Reference



EHCNA_SEND_Panel_ notification_flowchart



SEND Panel Terms of Reference June 22 od

Appendix B – Quality Assurance visit template (first draft to be revised)

Please note:
We are in the process of introducing a quality assurance process for our specialist provision, and the document below is the first draft. After a very brief consultation it has been recognised that the document is too long, and the intention is to revise this document to a more manageable size before implementation.



First Draft of SRP QA review document (1) -