

Service Level Agreement

between

Surrey County Council

&

The Orchard School

& Relevant Governing Board

for

Specially Resourced Provision or Unit

Dated: 19/07/2021

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For the purpose of this document, the terms Specialist Resource Provision (SRP) and Units have been used as set out within the High Needs Funding guidance. Some provisions within Surrey refer to themselves as Centres and are covered through the terms SRP and Unit.

Purpose

This agreement establishes the partnership between Surrey County Council (“SCC”) and the Senior Leadership Team and/or Governing Body of a Surrey Maintained School or Academy (“Service Provider”), in relation to a commissioned places within a Specially Resourced Provision (SRP) or Designated Units (Units).

This agreement forms two parts:

1. Schedule 1 sets out the underpinning principles, framework, responsibilities, accountability, and monitoring of the provision, and
2. Schedule 2 sets out specific setting designation information, resources and funding.

This agreement will ensure that the aims and principles of both parties are consistent with, and complement those of Surrey’s Inclusion and SEND Strategies, graduated response agenda community visions and values.

Overarching Aims and Core Principles

SRP’s and Units form part of SCC’s inclusion agenda and graduated offer for those Children and Young People (CYP) who benefit from the learning and socialising aspect in a mainstream school but require a more tailored curriculum with specific support and teaching happening within the SRP or Unit.

There is a wide spectrum of special educational needs (SEN) and many CYP have interrelated needs. The SEND Code of Practice describes four broad areas of need:

1. Communication and Interaction
2. Cognition and Learning
3. Social, Emotional and Mental Health
4. Sensory and Physical

All of the CYP accessing SRP’s and Units have complex needs that require educational providers and commissioners to work in collaboration with other agencies as well as parents/careers and the CYP themselves.

Four Key Principles:

1. Children and young people will be supported to receive the best social and educational outcomes.
2. Children and young people will receive specialist teaching and support specific to their needs.
3. All children will be working towards independence and achieving their potential with regard to the Preparation for Adulthood Agenda.
4. Children and young people will be supported through partnership working and a wider team around the school when required.

Term of Agreement

This agreement shall commence on 01/09/2021 and will be reviewed every 3 years.

Schedule 1

Key Requirements of Service delivery

The Service Provider is required to:

- A. designate a member of staff ('the SRP or Unit Manager') who will be responsible for the coordination and monitoring of the specialist provision, including services delivered or commissioned by SCC. They will line manage staff and ensure performance management and continuing professional development (CPD) is undertaken for all staff;
- B. designate a member of their senior leadership team or the Head teacher, with delegated responsibility for the strategic leadership of the SRP or Unit, including line management, performance management and CPD of the SRP or Unit Manager;
- C. ensure that the SRP or Unit Manager has specialist training in relation to the key area of need for the SRP or Unit. e.g. SLCN/ ASD/ Sensory approaches and strategies;
- D. ensure that the allocated accommodation for the specialist centre are of appropriate layout and size to accommodate the identified cohort and their needs, and that the location and setting has been approved by SCC. Key Considerations¹ for the specialist centre space should be:
 - i. The area is designed to meet the sensory needs of all pupils;
 - ii. Availability of work bays;
 - iii. Identified area for group work;
 - iv. Identified 'quiet area';
 - v. Development of access to safe and appropriate outside space; and
 - vi. Easy and discrete access to toilets/changing rooms
- E. provide access to a space within which effective multi- agency involvement can take place to the benefit of children and young people within the centre
- F. work in partnership with therapy services to ensure environments and approaches follow evidence-based approaches for the particular cohort needs
- G. provide regular and appropriate CPD for all staff supporting children accessing the centre
- H. offer small group specialist teaching, it is envisaged that all children will require this provision on entry to the provision for a range of curriculum areas
- I. deliver individual programmes which facilitate an increase in learning and social time in mainstream classes for individual pupils and groups of pupils. The aspiration for all pupils placed in Units is to increase engagement and access to the wider life of the school to maximise opportunities for social learning and the development of resilience and independence; this will include teaching and learning opportunities. Children in SRP's will already have a high level of mainstream integration with support from the SRP where appropriate. Although the endeavour is to increase mainstream inclusion, SCC understand there may be an exception for certain children, especially those requiring a change of placement for a more specialist provision.

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/410294/Advice_on_standards_for_school_premises.pdf

- J. demonstrate how evidence-based methodologies informed by pupils' EHCPs, have been applied consistently to show:
- i. understanding of the individual needs of pupils/cohorts and provision appropriately planned to meet their needs
 - ii. development of progress

Accountability and Management

As a local authority, SCC is accountable for statutory duties and responsibilities in relation to the high-quality provision to meet the needs of children and young people across the County with special educational and additional needs.

Key Frameworks both parties need to consider:

Children and Families Act 2014²

SEND Code of Practice 2014³

SEND Regulations 2014⁴

School Admissions Code⁵

High Needs Funding⁶

The SRP or Unit, as stated in Key Requirements of Service Delivery, will have appointed staff to support the day to day management of the provision and as the children will be on roll with the mainstream school, will therefore be accountable for delivering the specific outlines detailed in Schedule 1 and 2 of this agreement.

Referrals and Admissions

The service provider is required to:

- a) respond to formal consultations for placements in line with the SEND Code of Practice.
- b) provide reasonable adjustments, agreed with SCC, to support and provide provision stated in section F of individual Education, Health and Care Plans where the placement has been named.
- c) take every possible action to avoid placement breakdowns and exclusions and will work with SCC to reduce midyear moves.
- d) raise any concerns on future success of placements through annual reviews or interim reviews and liaise directly with the SEND Teams in relation to individual placements.

SCC is required to:

² https://www.legislation.gov.uk/ukpga/2014/6/pdfs/ukpga_20140006_en.pdf

³ <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

⁴ https://www.legislation.gov.uk/uksi/2014/1530/pdfs/uksi_20141530_en.pdf

⁵ <https://www.gov.uk/government/publications/school-admissions-code--2>

⁶ <https://www.gov.uk/government/publications/high-needs-funding-arrangements-2021-to-2022>

- a) consult with SRP's and Units each Autumn term in relation to their planned and commissioned places for the upcoming academic year.
- b) support with monitoring vacancies and coordinating formal consultations processes.
- c) consult for placements in line with the Code of Practice 2014
- d) remain the admissions authority for take up of all formal places within the SRP or Unit.

Funding

SCC undertakes to ensure that funding for provision made for pupils on roll within the SRP or Unit shall be made in accordance with the delegated funding arrangements.

The Service Provider is required to:

- a) be responsible for all costs associated with the provision of educational services including the costs of suitable premises, amenities, equipment and books. HI & VI provisions will be supported with equipment and resources from SCC where agreed and appropriate.
- b) be responsible for any additional resource allocated to the SRP or Unit which is not outlined within this agreement, including staffing arrangements.
- c) Ensure that payment of the Funding by the SCC to the Provider is only to be used to the benefit of the children with agreed places within the SRP or Unit.

SCC is required to:

- a) fund the place and top up funding in relation to places occupied in line with the High Needs Funding Guidance. Further information given in Schedule 2 of this agreement. Places that are left unoccupied will not be in receipt of top up funding from SCC.
- b) bear the cost of the transportation, where applicable, for children and young people to attend the provision from their home address during educational times of the day, in line with SCC Travel Assistance Policy⁷.

Quality Assurance & Safeguarding

The service provider is required to:

- a) ensure that staff delivering the provision are trained in safeguarding and in safer recruitment, in line with requirements set out in DfE statutory guidance⁸, and that the welfare and protection of children are of paramount concern.
- b) appoint qualified teachers and appropriately qualified staff to support the personal, academic and pastoral progress of each student. Any unqualified teachers will be expected to qualify within an agreed timescale / be under the supervision of QT and following performance management and line management routes internally to the school.

⁷ https://www.surreycc.gov.uk/__data/assets/pdf_file/0008/218357/Home-to-school-or-college-travel-and-transport-policy-2020-21-V4-April-2021.pdf

⁸ Keeping children safe in education: Statutory guidance for schools and colleges, Department for Education (September 2019) -

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/835733/Keeping_children_safe_in_education_2019.pdf

- c) apply clear referral procedures and criteria consistently and fairly, and ensure that all school, other professionals and parents/carers are aware.
- d) maintain clear health and safety and safeguarding policies and ensure their implementation to ensure the health and wellbeing of students undertaking programmes of activity both on and off site.
- e) publish and manage a clear complaints procedure and draw it to the attention of the students and their parents/carers.
- f) publish information about the SRP or Unit and staffing arrangements on the school website with specific information to the offer of the above mentioned SRP or Unit.
- g) raise any safeguarding concerns with SCC

SCC is required to:

- a) ensure that the SRP or Unit is fully effective in their quality and safeguarding roles by monitoring of provision.
- b) liaise with any professionals necessary when responding to a complaint, safeguarding concern or whistle blowing incidents involving the SRP or Unit, including staff.
- c) monitor quality by reviewing performance, outcomes and pathways for CYP moving through the provision.
- d) respond to any concerns raised by Ofsted and review admissions into the SRP or Unit until a time that SCC are satisfied that the concerns are concluded appropriately.

Performance Monitoring

Monitoring arrangements for the performance management of the SRP or Unit require both parties:

- a) to take part in Partnership Meetings every two years.
- b) being subject to Ofsted inspections.

The parties agree to meet in accordance with the requirement of the specification and the SRP or Units will produce an annual report as required and any other information that SCC might reasonably require in order to effectively evaluate progress against the performance monitoring.

The service provider is required to submit an Annual Report in their own format in the Summer Term each year, it will provide the following:

- a) details of the number of placements occupied – full and part time.
- b) evidence of progress in relation to the following performance indicators:
 - i. improvement in pupils' behaviour and social emotional and mental health
 - ii. improvement in children and young people's ability to access the curriculum
 - iii. reduction in exclusions
 - iv. reduction in reliance of additional funding
 - v. improvement in attendance – *inclusion of an annual record of attendance of all students and analysis to show improvement is recommended*
 - vi. positive feedback from parents and children and staff in schools
 - vii. positive feedback from other agencies, including an account and evaluation of the effectiveness of any agency of multi-agency support provided to the students
 - viii. reintegration and admission is successful and mainstream placements are sustained.

- ix. progress of pupils is evidenced through effective pupil tracking, for example through Individual Support Plans or the Annual Review of Education Health and Care Plans (EHCP)
- x. at Key Stage 4, pupils achieve a range of relevant qualifications and progress into post-16 education, training or employment
- xi. staff absence is minimised

There is an understanding that some children's needs may have changed, and the provision may no longer be appropriate and therefore the understanding is that the above may not be possible for those children specifically.

The above-mentioned Partnership Meetings will be a joint meeting between the Service Provider and SCC colleagues as a way to work together on supporting children within the provision. Meetings are welcomed in between Partnership Meetings if there are particular areas to discuss or concerns for any party.

Partnership working

SCC recognises that the children and young people who will benefit from the provision have additional needs that cannot be met from a mainstream placement alone. Some of the additional needs can be met through specialist teaching delivered through individual programmes but it is recognised that onsite support from therapy services is also required.

Each SRP or Unit has allocated speech and language therapy sessions (*except VI centres) and a universal offer of training and support from occupational therapy (*except VI and HI provisions).

Force Majeure

For so long as such circumstances prevail, no party shall be liable for any failure or delay in the performance of its obligations and/ or duties under this Service Agreement to the extent that such failure or delay is caused by circumstances beyond that party's reasonable control.

Resolution of Disputes

Both parties shall refer all matters in dispute arising out of or in connection with this agreement for consideration with each other and a monitoring visit should be arranged with the lead commissioners for SCC, Both parties shall use their reasonable endeavours to reach a solution to any such dispute within a suitable time frame, and failing which, unless the parties agree another period of time, any such dispute may, upon agreement of the parties be dealt with by referral to the Director of Education, Lifelong Learning and Culture, their decision being final and binding on both parties.

Schedule 2:

Profile & Designation

Name of SRP or Unit if applicable: Pine Class

Primary Need: Low COIN (SLCN)

Age Range: 4-7

PAN of School: 270

Number of Planned Places: 6

Premises

Description of Area Specific to SRP/Unit:

Pine Class is within the main school building. In addition, we use the hall at times, a designated outdoor space and a small group room.

Offer and Overview of Provision: (e.g. Access to specialist teaching, mainstream integration)
Access to specialist teaching and small group working.

Therapy: All SRPs or Units have access to Speech and Language Therapy, Occupational Therapy and Physiotherapy.

Funding

The funding rate is £6,000 per place, average mainstream funding and a single top up band at £3,517.29 for all pupils accessing the Low COIN Provision.

The number of places to be commissioned is as follows:

Phase	Places	Average Mainstream Funding *	Place Funding **	Top Up Funding (per pupil)
EYFS/KS1	6	£3,704.82	£6,000	£3,517.29

*This is the average pupil led funding rate, including share of minimum funding guarantee and minimum per pupil funding level, if applicable, and is already included in the school's mainstream budget share. The rate shown is that for 2021/22 and it will vary from year to year. Pupils in the SRP/Unit also attract mainstream grants (eg pupil premium) in the same way as any others on roll.

**plus an extra £4000 for every place which was not occupied on the October census date prior to the start of the financial year (maintained) or academic year (academies). This is because pupils in the centre who were not on roll on previous Oct census date do not attract mainstream funding.

Duration and Termination

This Agreement may be terminated by the both parties by giving formal written notice to the other party, and in any event not less than three academic terms' notice. If the arrangement is not working, then the decommissioning process should be followed for Academies and Maintained provision upon agreement to do so.

The agreement should be reviewed a minimum of once every three years, however in lieu of any review in any period, this agreement shall remain in effect.

Agreements

Signed for and on behalf of SCC

Signed for and on behalf of SLT/Governing
Body (the service provider)

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Title
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Title
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