



Department  
for Education

# **Bath and North East Somerset Special Free School**

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

**Bath and North East Somerset  
Council**

**May 2023**

## OVERVIEW

The Department for Education is inviting applications from proposer groups to open a new special free school in Bath and North East Somerset.

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 Bath and North East Somerset 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.

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

Opening a new special school in B&NES will respond directly to the 55% rise of EHCP pupils that occurred locally between 2018-2022, enabling the Local Authority to better support children and young people. Pupil projection in special schools is predicted to continue to increase drastically in the UK in the foreseeable future. This trend is mirrored in B&NES. Between 2018 and 2022, the number of children with EHCPs in B&NES increased by 56% (age 5-10), 66% (11-15) and 35% (16-19).

Over the last 4 years the number of children with ASD, PMLD and SLD in B&NES has significantly risen with a 65.36%, 23.53% and 13.51% increase respectively across school settings. Non-special schools are seeing increases of children with ASD and PMLD needs. The increase during the last four years for children with ASD in non-special schools was of 85.48%, almost double the increase occurring in special schools (43.59%). This trend is also perceived for PMLD with an increase in non-special schools.

Additionally, 4.68% of pupils in B&NES have EHCPs, compared to 3.91% in all other neighbouring LAs and 4.0% Nationally, demonstrating the urgent need for additional specialist provision in the area. Due to the growing need for special places not only in B&NES and but also the neighbouring Local Authorities, there is additional pressure to account for extra pupils from outside B&NES, impacting on our capacity and ability to provide high quality support within the region.

The proposed school also responds to budget and expenditure concerns. Total spending for children placed in independent schools in and out of county was above £13 million in 2021-2022, with at least £5 million for children with either ASD, PLMD, or SLD as their primary needs. In terms of transport costs, and accounting solely for children going to independent school out of county, we spent more than £680,000 from May 2021 to May 2022, excluding escort costs and direct payment to parents.

As a result, our expenditures from the DSG High Needs block are under substantial strain. DfE has already recognised the existing need in B&NES and its strain on our HNB, and as such, has identified the authority as a recipient of funding through the safety valve intervention programme. This new school is part of delivering our sufficiency and a key component of our draft Safety Valve Programme. It will contribute to the long-term sustainability of SEND provision in B&NES by relieving some of the existing pressures which, as demonstrated earlier in this section of the application, are predicted to grow.

Furthermore, a provision within our borders which can provide for those children with ASD, PLMD, and SLD will allow us to reduce our expenditures for independent

schools. With our special schools already oversubscribed, and the significant rise in demand for special places, we are confident that the school will be filled at maximum capacity by children from our county.

Extensive discussions with neighbouring local authorities were undertaken regarding pupil cohort, quality of provision and potential issues and the mitigation of such. In addition, Bath and North East Somerset Council, Bristol and South Gloucestershire collaboratively concluded the amount of places to be co-commissioned into the new school. This includes 9 places by Bristol City Council and 5 by South Gloucestershire Council.

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

Currently B&NES is struggling to provide for children diagnosed with ASD, SLD, and PMLD within county, and the considerable increase in numbers of children diagnosed with those needs in both mainstream and special will continue to put pressure on provisions. Oversubscription is a persistent issue in Bath and North East Somerset.

The last 4 years have seen a dramatic increase in the number of children with ASD, PMLD and SLD in B&NES, with a 65.36%, 23.53% and 13.51% increase respectively across special and mainstream school settings alike. The new school will see its places filled by children with the aforementioned additional needs in schools out of county, but also children who currently attend mainstream provision where their requirements and needs are not appropriately fulfilled.

Of our three special schools, Aspire Academy, Three Ways School, and Fosse Way School, are operating at maximum capacity, and both Aspire Academy and Three Way School already went under significant expansion to full capacity. This has resulted in a number of pupils accessing schooling outside of county borders, incurring both financial losses, but also lifestyle and social implications for those involved. The new school intends on addressing the lack of special places within our borders and therefore mitigating the damaging consequences of current lack of provision.

A 2019 report following an Ofsted/Care Quality Commission inspection of local areas for SEND highlighted strengths and areas of improvement for existing SEND provision in Bath and North East Somerset. Points of improvement included an improved use and monitoring of EHCPs by settings, information-sharing issues for both parents and children and young people, problems surrounding the identification for SEND pupils, a disparity between academic outcomes and the number of exclusions for SEND pupils and insufficient SEND provisions.