

## **Service Level Agreement**

This agreement is between Wiltshire Council and X school. It relates to the resource base at the school for pupils with complex learning needs.

Resource bases are an essential element on the continuum of provision in Wiltshire for pupils with special educational needs. While the Local Authority (LA) endeavours to maintain pupils within their local mainstream schools, with support as appropriate, resource bases offer specialist provision for pupils with statements of special educational needs (SEN), along with opportunities for the planned integration of these pupils, which may not be readily available in either mainstream or special schools.

### **1. Nature of needs met**

#### Primary needs

- i. Learning difficulties, generally in the range of moderate and severe learning difficulties, with additional associated needs.
- ii. Modifications to the mainstream curriculum required to enable access, despite suitable modifications pupil may fail to attain at the age appropriate level.

The pupil requires additional support above that which is available in mainstream schools and will benefit academically and socially from a place in the resource base. The pupil will be able to achieve a degree of mainstream inclusion with support for at least part of each week by the first Annual Review following placement. It is recognised that inclusion can relate to location, social interaction or be for learning. Each individual's needs, targets and progress over time will be considered when planning inclusion for pupils.

#### Associated needs may include

- i. Autistic Spectrum Disorder/Social and Communication Difficulties up to the level that would normally be met through the support of a statement of special educational needs in a mainstream school.
- ii. Speech and language difficulties up to the level that would normally be met through the support of a statement of special educational needs in a mainstream school.
- iii. Physical or medical needs that can be met in the resource base e.g. sensory impairment, toileting.
- iv. Behavioural, emotional or social difficulties occurring as a result of the primary need that could reasonably be expected to abate when the primary need is being appropriately met.

Possible changes of placement will be considered via the annual review of a pupil's statement of SEN. The school must alert the LA, in advance, of the annual review meeting, if there is likely to be any discussion regarding an alternative placement.

### **2. Number of pupils able to access the resource base**

The resource base's capacity is 20. This takes account of the physical space dedicated to the resource base and the provision of opportunities for integration across the school.

The number of pupil places that the resource base will be funded for in each financial year is confirmed in writing annually. This figure ensures sufficient funding for the school to maintain the provision for the number of pupils to be admitted. Whilst planned places will be determined annually changes will only be made to reflect long term trends rather than short term cyclical variations in pupil numbers. If the number of pupils placed is significantly below the number of places funded, arrangements will be made to re-deploy centre capacity, see section 10, Sharing Expertise, below. In exceptional circumstances the LA may need to consult with the school about placing a pupil above the agreed numbers, see section 4, Admissions below.

The number of pupil places to be funded is set for each financial year at the annual monitoring meeting, see section 12 and appendix A.

### 3. Age range of pupils

Pupils accessing the resource base are of statutory school age, from the reception year through to year six.

### 4. Admissions

The LA, having the ultimate statutory responsibility to secure provision for children and young people as set out in their statements of SEN, determines admission of pupils to resource bases. Pupils are allocated a place in the resource base by the LA following a meeting of the SEN Panel where their needs are discussed and placement is thought suitable on the grounds that:

-	their statement of SEN sets out provision that cannot easily be met in a mainstream school with extra support provided through a statement of SEN
-	a full time place is required
-	they have a complexity of need that will require teaching and support staff with specialist training
-	they require some teaching strategies that can only be delivered outside a mainstream class setting.

The SEN Code of Practice places a duty on the LA to consult with the school before naming the school in a final statement of SEN. It is appropriate for the governing body to formally resolve to delegate this responsibility to the headteacher. In all cases where a resource base placement is sought the LA will consult with the school about the suitability of the placement with particular emphasis on the ability of the resource base to meet the pupil's needs and the possible effect of the admission on other pupils in the resource base or in the main body of the school. The LA will make every effort to consult well before the proposed admission by sending the school a proposed statement and appendices. The usual response time allowed to schools is fifteen working days, this can be adjusted to take the longer school holidays into account.

In making any representations to the LA the school should base these on the pupil's statement and the written advice on which it is based. If the school has any concerns about the proposed admission it is always necessary to consider what reasonable steps can be taken by the school or the LA to overcome concerns in the light of both the SEN Code of Practice (8:58 and 8:59) and current disability discrimination legislation (Disability Rights Commission [www.drc-qb.org](http://www.drc-qb.org)). Should concerns remain they must be raised on the consultation form that is sent by the LA to the school. This information could be made available to the pupil's parents/carers as LA files are open. The details of the school's representations could be made available to other parties particularly if there were to be a dispute over admission.

In considering any responses by the school the LA will refer to this agreement, particularly in relation to the type of needs which the resource base meets. The final decision as to placement must rest with the LA in accordance with the SEN Code of Practice and its responsibilities to provide school places.

In exceptional circumstances the LA may consult with the school about placing a pupil over and above the agreed numbers. This may occur when a parent expresses a preference for the particular resource base, the LA has a duty under section 8.62 of the SEN Code of Practice to comply with that preference unless it believes that:

- the placement would not meet the pupil's needs
- it would disadvantage other pupils at the school, or
- it would be an inefficient use of resources.

Issues that might be taken into account would be undue demands on staff and a very considerable imbalance of placements in a particular year group.

The general number of pupils able to access the resource base has been set at a level where the provision for the resource base pupils is compatible with the satisfactory education of the mainstream pupils within the school. Only in circumstances where an additional placement in the resource base would not significantly disadvantage other pupils at the school, and be an efficient use of resources will an additional place be agreed. Additional funding, proportionate to the total funding for the resource base, will be allocated solely for the time that the pupil is additional to the number of pupil places funded.

In cases where the SEN and Disability Tribunal (SENDIST) rules that a pupil is placed in the resource base, despite objections by the LA and representations by the governors that the placement would not be appropriate, SENDIST's ruling is binding upon the LA and upon the school.

## **5. Purpose of the provision**

The resource base enables provision to be made for pupils whose needs are difficult to meet in mainstream schools. The pupils have learning difficulties, generally in the range of moderate and severe learning difficulties, with additional associated needs. Meeting a pupil's associated needs sometimes has to be the priority to enable their learning needs to be addressed. The resource base works to remove barriers in order that each pupil can make good progress from their starting point, as judged by using the Progression Guidance (2009) DCSF Ref: 00553-2009BKT-EN and any subsequent updates to guidance about progress for pupils with SEN.

The resource base works with pupils, parents/carers, other mainstream schools and LA support services with the aim that, whenever possible and appropriate, pupils become fully integrated into a primary school close to their home prior to the beginning of year 6. Links with each pupil's local school are crucial to support this, and importantly even if a pupil continues to be placed in resource base provision until the end of year 6, it enables the establishment of peer group relationships prior to primary-secondary transfer.

The school will prepare and maintain a policy statement for the resource base, outlining its provision, philosophy and its relationship with the school as a whole. The policy must reflect this agreement and be drawn up in consultation with the LA, with written comments being sought from the LA. The policy statement should be kept with this document.

## **6. Curriculum**

The resource base enables a personalised approach to the curriculum which is flexible and anticipates individual needs. Pupils have access to the full curriculum accessed through specialised teaching informed by relevant agencies. At different times pupils may require a mixture of small group, individual and class teaching. The provision map for the resource base should be kept with this document.

Pupils are placed in the resource base because of their need for specialist support within a mainstream setting. An important element of the work undertaken by the resource base is the availability of integration opportunities. Appropriate provision that meets the needs of resource base pupils enables integration into mainstream activities with peers of the same or similar age for part of the week by the time of the first Annual Review of a pupil's Statement of SEN following placement. It is recognised that inclusion can relate to location, social interaction or be for learning. Each individual's needs, targets and progress over time will be considered when planning inclusion.

The resource base put into place appropriate transition arrangements for all pupils joining or leaving the resource base, for example visits and books of photographs. Ongoing links are maintained by the resource base with each pupil's local mainstream primary school, for example invitation to Annual Review meetings. This facilitates pupils returning full time to mainstream, if appropriate, or if that is not possible having peer group links to support transition to secondary school.

## **7. Working with parents/carers and other agencies**

The resource base works in partnership with parents/carers. This is vital to achieve the best outcomes for pupils. A range of means are used to support communication. It is recognised that the amount and type of contact necessarily varies between families and over time, with transition into and out of the resource base being particularly crucial times.

As part of the school's SEN information for parents the operation and funding of the resource base should be set out distinctly from the SEN provision for pupils on the main school role. The resource base may also wish to provide resource base specific information for parents based upon the resource base policy statement, see section 5, and the resource base's provision map, see section 6.

As a necessary part of Wiltshire's pattern of specialist SEN provision it is important for the resource base and LA services to maintain effective ongoing links. Engagement in multi-agency working is important.

Effective liaison with parents/carers and associated professionals facilitates a clear understanding of each pupil's holistic needs, and how best to enable pupils to achieve their potential.

## **8. Staff**

Pupils attend the resource base to access a high level of expertise and an enhanced staffing ratio. The school employs additional staff including both teachers and teaching assistants (TAs), for the resource base. If resource base staff do not hold relevant specialist qualifications when appointed they will be supported by the school in working towards gaining them.

Resource base staff have an understanding of developmental progression in learning across the curriculum for pupils with attainment within the P levels. They are able to tailor appropriate activities that support pupils to make small steps of progress.

The induction of all school staff includes information about pupils with complex learning needs. Systems are in place to ensure that all staff are regularly updated about resource base pupils.

The overall training programme will be decided by the headteacher in conjunction with resource base staff and should seek to address priority requirements as well as linking with the whole school training programme.

The LA will maintain an overview across resource bases of staff qualifications and necessary skills development and facilitate priority training.

## **9. Premises**

The school meets the day to day premises costs associated with the resource base. Any proposal by the school to relocate, or make major adaptations to, accommodation must be fully agreed with the LA at an early stage.

The upkeep and maintenance of furniture and equipment is the responsibility of the school.

## **10. Sharing expertise**

The resource base maintains ongoing links with other primary school resource bases for complex needs. This is facilitated by the LA.

The resource base shares its expertise with other mainstream schools supporting continuous professional development through the delivery of a twilight session at least three times a year.

The LA may approach the school to request that aspects of the resource base's expertise contribute to the provision needed by a pupil with a high level of need who is attending a different school. This outreach activity will not be arranged to the detriment of resource base pupils. If there are any additional costs when the resource base is full, i.e. has the number of pupils it is funded for, these will be met by the LA.

If when numbers of pupils are considered at the annual monitoring meeting, see section 13, should the resource base will be operating with fewer pupils than it is funded for, see section 2, a plan will be drawn up between the LA and the school about how to best use this capacity funded from Dedicated Schools Grant for the benefit of pupils with learning needs who attend other Wiltshire schools. Whenever such an arrangement is put in place it will be formalised in a separate written agreement and promptly reviewed if circumstances change during the year.

## 11. Management

In delegating funding for the local management of resource bases it is necessary to strike a balance between the statutory strategic role of the LA and the managerial authority of the school. Both parties need to be clear about their respective responsibilities:

- the LA will secure provision through an arrangement with the governing body. This arrangement specifies the number of planned places and the type of needs to be met
- the LA will monitor individual placements through the statutory annual review process
- the LA will determine admissions in accordance with the SEN Code of Practice and the criteria set out for the resource base
- the LA will control funding arrangements and set the number of planned places on an annual basis following consultation with the school
- the Headteacher will be responsible for the day to day management of the resource base, ensuring that available resources are deployed to make the provision set out in pupils' statements of SEN.

Line management of the resource base is the responsibility of the school. The governing body and headteacher exercise the same range of responsibilities as for other staff employed in the school.

The LA recognises the advantage of staff appointed to the resource base also having responsibilities within the rest of the school but this must not undermine the needs of the resource base pupils. The LA recommends that resource base responsibilities should be distinct and separate from whole school responsibilities including those of the SEN co-ordinator (SENCO). Funding for the responsibilities of the SENCO is included within the mainstream element of the school's budget. Whilst resource base staffing might be deployed in conjunction with the mainstream school's SEN provision it is important that the resources allocated for the resource base can be accounted for separately.

## 12. Funding arrangements

The school budget receives an additional budget share for the resource base. It is anticipated that this additional delegated budget share will be deployed to fund the resource base provision. The funding for the resource base is designed to cover all aspects of resource base provision e.g. teaching, support staff, lunch time cover, clerical support and non-staff costs such as suitable waste disposal facilities and protective equipment required by staff associated with pupil's toileting needs.

Each year a moderation exercise is conducted by LA staff in conjunction with all the schools who host a complex needs resource base. The moderation process will check which resource base pupils are in each banding category and confirm any changes for the next financial year. Following this a separate process will confirm the number and level of planned places for the following financial year.

This process will normally be conducted in October so that the outcome informs the budget setting process prior to the next financial year. An annual funding statement for the resource base will be produced by the LA for the school which summarises the number of planned places, the level of pupil need and level of funding.

If, in exceptional circumstances, a pupil is placed in the resource base above the agreed number for the financial year an additional payment will be made to the school.

If the governing body is being asked to accept a pupil whose requirements are obviously well in excess of the definition of the needs to be met from the resource base, as defined by the SEN Panel, then an exceptional needs allocation may be made. It is unlikely that exceptional needs payments will be necessary in more than one percent of the total number of planned resource base places e.g. a pupil with needs commensurate with those usually met through the resource base who also has a very high level of sensory impairment.

### **13. Monitoring arrangements**

Both the school and the LA have a responsibility to monitor and evaluate the effectiveness of the resource base to ensure appropriate pupil progress and value for money as well as to inform the resource base, school and LA development plans. Evaluation will be informed by reference to the purpose of the provision, section 5 above.

Monitoring is achieved in a variety of ways including:

- through Individual Education Plans (IEPs) drawn up in conjunction with pupils, parents/carers and other services and the Annual Review of Statements of SEN
- as part of the school's pupil tracking and performance monitoring
- via annual monitoring.

The joint school and LA annual monitoring will include: consideration of pupil progress; the provision map for the resource base; the school's policy statement for the resource base; the LA's support and engagement with the resource base; feedback from parents, carers and pupils; and consideration and endorsement of this service level agreement.

### **14. Duration and termination of the agreement**

The arrangement for there to be a resource base at the school is binding on both parties until further notice. The arrangement can be subject to formal review but cannot be terminated by either party without due processes being followed and the publishing of Statutory Notices with final determination by the Secretary of State.

### **15. Disagreement resolution**

If parents/carers have a concern relating to the resource base the usual first step is to speak to resource base staff. If necessary, parents/carers should then follow the school's complaints procedure which is available from the school office.

If a school has a concern relating to the resource base this should initially be raised with the LA staff member responsible for the annual monitoring meeting. If necessary reference can then be made sequentially to: the Head of SEN; the Service Director - Department for Children and Education; and, the Director - Department for Children and Education.

**Endorsement of this document**

On behalf of school		On behalf of LA		Date
Name	Signature	Name	Signature	

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