

**Committee Name and Date of Committee Meeting**

Cabinet – 07 July 2025

**Report Title**

SEND Sufficiency and Aspire Pupil Referral Unit

**Is this a Key Decision and has it been included on the Forward Plan?**

Yes

**Strategic Director Approving Submission of the Report**

Nicola Curley – Strategic Director, Children & Young Peoples Service

**Report Author(s)**

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**Ward(s) Affected**

Borough-Wide

**Report Summary**

The report provides an update on Children and Young People Services (CYPS) Special Educational Needs and Disabilities (SEND) Sufficiency planning. The report includes an update on the progress made against the Special School Capital Accessibility Funding programme. The report also requests approval of a programme of capital refurbishment works to support sufficiency requirements at Rotherham Aspire Pupil Referral Unit.

**Recommendations**

That Cabinet:

1. Note the update on the progress made against the Special School Capital Accessibility Funding programme and approve the programme of capital work at Kelford School.
2. Approve the programme of capital work at Rotherham Aspire Pupil Referral Unit to support sufficiency requirements.

**List of Appendices Included**

Appendix 1 Part A Initial Equality Screening Assessment

Appendix 2 Carbon Impact Review

## **Background Papers**

[SEND Sufficiency Phase 4 update – March 2024](#)

[Safety Valve Cabinet annual update report - 24<sup>th</sup> April 2023](#)

[SEND Sufficiency Phase 4 Cabinet paper - October 2022](#)

[SEND Sufficiency Phase 3 Cabinet Report - November 2020](#)

[SEND Sufficiency Phase 2 Cabinet Report May 2019](#)

[SEND Sufficiency Phase 1 Cabinet Report – February 2018](#)

## **Consideration by any other Council Committee, Scrutiny or Advisory Panel**

No

## **Council Approval Required**

No

## **Exempt from the Press and Public**

No

## **SEND Sufficiency and Aspire Pupil Referral Unit**

### **1. Background**

- 1.1 In Rotherham (23/24 academic year), 22.1% of pupils have either a statutory plan for Special Educational Need or Disability (SEND), known as an Education Health Care Plan (EHCP), or are receiving SEND support (previously known as school action and school action plus). This compares to an average of 18.4% across all England Authorities. In order that the educational needs of children and young people in the borough with SEND can continue to be met, the Council has a responsibility to create a sufficiency of education provision to meet the needs of all pupils.
- 1.2 From 2018 onwards, Cabinet has approved five Phases of SEND Sufficiency, each targeted at addressing incremental rises in SEND cohorts and creating or improving specialist education provision. The five phases of the SEND Sufficiency programme have created 596 additional school places in Rotherham.
- 1.3 In March 2022, following Cabinet approval, Rotherham entered into a formal Safety Valve Agreement with the DfE. As part of this agreement, additional SEND capital of £4.32m was provided to Rotherham to support the development of SEND provision in the Borough and enact its strategic plans as set out in the Safety Valve Agreement. As part of Rotherham's involvement with the Government's Dedicated Schools Grant (DSG) High Needs Deficit Safety Valve programme, the Council has worked closely with the Department for Education (DfE) to share and develop its strategic planning to ensure that the sufficiency of SEND places in the Borough.
- 1.4 As outlined in the background paper, Safety Valve Cabinet annual update report – 24 April 2023, the Rotherham 'Safety Valve' Agreement aims to:
  - Reduce use of independent specialist provision outside of the LA by creating appropriate capacity within Rotherham's high needs system, with a focus on ensuring provision is high quality and value for money.
  - Develop local sufficiency arrangements, including for Rotherham's Looked After Children.
- 1.5 Phase one of the Sufficiency Programme focused on increasing special school places and developing resource provision places in the Borough, as indicated by the rapid growth in demand for all specialist provision. The second Phase of SEND Sufficiency focused on the need for more targeted provision for children with Autism Spectrum Disorder (ASD) and children with profound and multiple learning difficulties (PMLD). Phase three created specialist provision for children and young people with Social Emotional Mental Health (SEMH) needs. This Phase also looked at redeveloping an existing special school in the Borough through significant investment in rebuilding the upper part of Newman Special School which was no longer fit for the purpose of education delivery. Phase 4 of the programme has supported mainstream schools to meet a wider level of need and improve accessibility within both mainstream and special schools through the development of further resource provision and implementation of the Schools' Accessibility Funding Framework.

- 1.6 In October 2022 Rotherham Cabinet granted approval for the proposal to enhance both mainstream and specialist SEND accessibility, through targeted investment in schools to enhance their ability to meet a wider level of SEND needs within their individual education settings. To support delivery Rotherham Cabinet agreed that the 2022/23 High Needs Capital Allocation be used to fund these proposals in line with the Safety Valve Capital Application submitted to the DfE with authority to agree the individual funding allocations as outlined in the delegation policy.
- 1.7 On 19 June 2023 Rotherham Cabinet approved the updated Rotherham School Accessibility Policy with a clear funding and application process for schools to seek to apply for capital investment to enhance their school site to be able to support a wider level of SEND need in their schools. In accordance with the Rotherham Safety Valve Agreement this has enabled Rotherham Council to support both mainstream and special schools to improve their site accessibility to enhance outcomes for their pupils.
- 1.8 The SEND Sufficiency Phase 4 Update presented to Cabinet in March 2024 considered Phase 5 of SEND Sufficiency under the Safety Valve Agreement. The main focus of Phase 5 is to provide increased sufficiency of places and condition improvements within three core elements of the Council's specialist provision, SEMH growth, Newman school site and Pupil Referral Unit development.
- 1.9 Continuing to develop high quality mainstream focused Pupil Referral Unit/ Alternative Provision is an essential part of the SEND system. It supports the implementation of the Council's Inclusion Review (carried out by independent experts ISOS) and should guide provisions to focus on intervention-based approaches helping students to return to mainstream education and be successful. Cabinet agreed to receive an additional paper following initial feasibility works, to consider release of the capital investment necessary to deliver this commitment.

## **2. Key Issues**

### **Special school Capital Accessibility Funding programme**

- 2.1 Despite the significant number of additional school places for SEND children created through the SEND Sufficiency programme, Schools' Capacity Assessments have identified that existing special schools are full or are working close to capacity. Where sufficient capacity does not exist Accessibility Funding will continue to contribute to the development of off-site or additional provision for specific pupil cohorts who are struggling to access the existing curriculum offer within special schools.
- 2.2 The Schools Capital Accessibility programme has focused on providing capital funding to improve access to the curriculum across both mainstream and special schools. The special school accessibility capital allocation has been utilised with great success to support the development of off-site or additional provision for specific pupil cohorts who are struggling to access the existing curriculum offer within special schools.
- 2.3 Previous successful schemes have included:

**Nexus** (Forest View) – The development of Forest View, a purpose built 14-19 provision for young people with SEND focusing on preparation for adulthood. The provision was developed in Summer 2023 following the decision to close Rowan School following the transfer of pupils to Elements Academy in September 2022. Forest View has created 50 additional SEND places.

**Elements Academy** (Elevate Provision) – The development of a further site linked to Elements Academy based at the previous Herringthorpe Youth Centre and Library location. The accessibility scheme has created an additional 30 SEMH places for students in Key Stage 3 and 4.

- 2.4 As part of medium term SEND Sufficiency planning, demand for additional specialist placements for pupils with Severe Learning Difficulties has been identified. A feasibility has been completed at Kelford School with a subsequent accessibility application being received detailing the capital requirements for 3 modular classrooms. The total cost for the modular build is estimated at £610k (inclusive of contingency and professional fees), with the Academy Trust contributing £60k.
- 2.5 The 3 modular classrooms will provide up to 24 additional specialist placements, with these being phased over the next two academic years linked to appropriate place planning for pupils. The first of the additional places will be available from September 2025.

### **Rotherham Aspire Pupil Referral Unit**

- 2.6 Rotherham Aspire Pupil Referral Unit is the local Alternative Education provision, supporting students who are unable to attend mainstream provision, pupils attend Aspire PRU on a short-medium term basis. This includes students who are at risk of or have been Permanently Excluded from a mainstream school and for students with an EHCP plan who are awaiting specialist provision.
- 2.7 There has been a gradual increase in pupil numbers in Aspire PRU over a 7 year period (103 average pupils on roll in 2016-17, 151 average pupils on roll 2023-24). Rising numbers of Permanent Exclusions locally, mirroring the national trend, has contributed to this. Shared systems working within locality education partnerships has been successful in slowing the rate of permanent exclusion and supporting reintegration to mainstream where appropriate. This has helped lead to an overall reduction in the rate of Permanent Exclusions over the past academic year.
- 2.8 The growth of pupils accessing Aspire PRU over the past three academic years is detailed in the chart below:

| <b>Data taken 1st week of the month</b> | <b>2020/21</b> | <b>2021/22</b> | <b>2022/23</b> | <b>2023/24</b> |
|---|----------------|----------------|----------------|----------------|
| September                               | 93             | 109            | 102            | 113            |
| October                                 | 95             | 114            | 108            | 120            |

|                |            |            |            |            |
|----------------|------------|------------|------------|------------|
| November       | 105        | 123        | 122        | 129        |
| December       | 112        | 127        | 122        | 138        |
| January        | 120        | 135        | 124        | 145        |
| February       | 120        | 136        | 131        | 156        |
| March          | 120        | 148        | 140        | 165        |
| April          | 121        | 152        | 142        | 162        |
| May            | 126        | 152        | 150        | 165        |
| June           | 134        | 160        | 151        | 169        |
| July           | 139        | 163        | 158        | 174        |
| August         | 139        | 163        | 158        | 174        |
| <b>Average</b> | <b>119</b> | <b>140</b> | <b>134</b> | <b>151</b> |

- 2.9 Capital investment would support alternative education provision to focus on intervention-based approaches which support students to return to mainstream education and be successful. The approach locally mirrors national guidance as set out in the DfE's SEND and AP Improvement Plan.
- 2.10 Initial feasibility concluded that Capital investment is required to address condition, suitability, and access issues across the Rawmarsh, Hutton Park and Catcliffe buildings, a programme of capital works have been detailed following condition works completed across the three sites. If approved work will be phased across academic year 2024/2025 and Autumn Term 2025/2026.
- 2.11 The majority of the condition related works are situated on the Rawmarsh site, these relate to improvements to the roof alongside specific mechanical and electrical works. Capital works to improve access to the curriculum through the development of outdoor space, 1:1 support rooms and specific items to improve access to the curriculum through the development of the vocational offer have also been identified across the remaining Hutton Park and Catcliffe buildings. The programme of capital works to support sufficiency requirements across all sites is estimated at a value of £565k.
- 2.12 The approved Children and Young People's Service (CYPS) Capital Programme 2025-26 (approved at the Council meeting on the 5<sup>th</sup> of March 2025) includes the use of the LA Maintained School Condition Allocation (SCA). The Schools Condition allocation was higher than forecast in the budget, however most of is already committed to existing projects. A priority list of projects is currently being updated, if approved these works, utilising the safety valve capital allocation, will be included.

### 3. Options considered and recommended proposal

- 3.1 Cabinet is asked to note the update on the progress made against the Special school Capital Accessibility Funding programme and approve the programme of capital work at Kelford School. The Accessibility Funding programme is supporting more children and young people to be educated in Borough through the development of off-site or additional provision for specific pupil cohorts who would otherwise not be able to access an appropriate curriculum offer.
- 3.2 Cabinet is asked to approve the programme of capital work at Rotherham Aspire Pupil Referral Unit to support sufficiency requirements and ensure the children and young people allocated places at Aspire Pupil Referral Unit can access a suitable curriculum with opportunities that support their reintegration into mainstream school.
- 3.3 Consideration has been given to not creating additional SEND provision places and implementing a SEND Sufficiency plan. This option of doing nothing would place a significant financial risk on the Dedicated Schools Grant High Needs Budget as those pupils with identified SEND needs would still need specialist education support. Should this provision not be available in the Borough then education provision would need to be accessed outside of Rotherham.

#### **4. Consultation on proposal**

- 4.1 All appropriate updates have been provided by RMBC ahead of this phase of SEND Sufficiency with key discussions with the Department for Education. Key updates have also been provided to Parent and Carers Forum, Schools Forum, School Leaders forums, and associated partners including SEND Executive/Partnership Boards
- 4.2 As part of work that the Council undertakes through the wider SEND place-based partnership, a series of listening opportunities are held with Parent and Carers across key areas of development across SEND. Previous listening events have included development of the Social, Emotional, Mental Health Free School, SEND Local Area Inspection, and Newman School development. Plans are in place for continued listening opportunities across all areas of SEND Sufficiency. This is in order to ensure that parents and carers are fully involved in appropriate consultation and are co-producing SEND Sufficiency in the Borough.
- 4.3 Ongoing updates linked to SEND Sufficiency and performance data are provided to Improving Lives Select Committee.

#### **5. Timetable and Accountability for Implementing this Decision**

- 5.1 The plan is for capital works to be completed across academic years 2024/25 and 2025/26.

#### **6. Financial and Procurement Advice and Implications:**

- 6.1 There are no direct procurement implications arising from the update in relation to the special school capital accessibility funding programme. As the Council granted monies directly to the schools for delivery of these projects, there were no direct procurement implications.

- 6.2 In considering the programme of capital works at Rotherham Aspire Pupil Referral Unit, where the Council is directly appointing third party contractors to deliver the works the application of the relevant procurement legislation will apply (Public Contracts Regulations 2015 or the Procurement Act 2023 dependent on the route to market selected) as well as the Council's own Financial and Procurement Procedure Rules.

#### Finance – Capital implications

- 6.3 The following outline additional requirements against the Special School Capital Accessibility Funding programme as well as further capital refurbishment works to support sufficiency requirements at Rotherham Aspire Pupil Referral Unit.
- *Accessibility Funding – Kelford Special School (£610k)*: - A feasibility has been completed at Kelford School with a subsequent accessibility application been received detailing the capital requirements for 3 modular classrooms. The project will provide 3 additional class spaces to complement the current Kelford offer and ensure that up to 24 young people from Rotherham can access the education to meet their need. Total cost for the modular build is estimated at £610k (inclusive of contingency and professional fees), with the Academy Trust contributing £60k towards the total cost.
  - *Rotherham Aspire Pupil Referral Unit (£565k)*: - Capital investment is required to address condition, suitability, and access issues across the Rawmarsh, Hutton Park and Catcliffe buildings. A programme of capital works have been detailed to support sufficiency requirements across all 3x sites – at an estimated value of £565k.
- 6.4 The above works would be funded from the 2025/26 High Needs Provision Capital Allocation (HNPCA), with the exception of Phase 1 Roofing works (Rawmarsh St Mary's) of £92k which would be funded from the 2025/26 Schools Condition Allocation (SCA) funding. The confirmed HNPCA funding for Rotherham for 2025/26 is £3.681M.

#### Finance – Revenue implications

- 6.4 There are no direct revenue implications to the Council arising from undertaking the above capital works. The day-to-day repairs and maintenance of the building (inclusive of the roof) is funded via the school's revenue budget (provided from the high needs DSG budget).

### **7. Legal Advice and Implications**

- 7.1 Section 14 of the Education Act 1996 places a general duty upon a Local Authority to secure sufficient schools to provide primary and secondary education in their area and states that they should have particular regard to the need for securing special education provision for pupils who have special educational needs.
- 7.2 Following the enactment of The Children and Families Act 2014, the Local Authority retains responsibility for commissioning services for children and young people with special educational needs or a disability. The Local Authority also has a duty to keep



the education and care provision in its area for children and young people with special educational needs or a disability under review, including its sufficiency.

- 7.3 The proposals as set out within the report are consistent with Council policy and previous decisions as set out in the body of the report. The capital works proposed will need to be procured in compliance with the Procurement Act 2023 or the Public Contract Regulations 2015, depending on the preferred route to market. Further, appropriate contractual arrangements will need to be put in place in respect of the capital works to ensure the successful delivery of the project and protect the Council's investment.

## **8. Human Resources Advice and Implications**

- 8.1 There are no direct HR implications within this report.

## **9. Implications for Children and Young People and Vulnerable Adults**

- 9.1 Additional Special Educational Needs and Disability (SEND) places created within the Borough give more children and young people the opportunity to access high quality provision to meet their educational needs and in line with parental wishes.
- 9.2 Key considerations are referenced within the report.

## **10. Equalities and Human Rights Advice and Implications**

- 10.1 Children and young people with SEND are disproportionately represented across a range of education and inclusion measures. The SEND Sufficiency programme and Accessibility funding aims to provide specialist education provision that supports identified cohorts with SEND needs to have enhanced education opportunities and provide support in order that all children and young people have the strongest possible preparation for Adulthood.

## **11. Implications for CO2 Emissions and Climate Change**

- 11.1 All areas of SEND Sufficiency, student placed planning (inclusive of circa at least 24 SEND places) and educational placements have a direct environmental impact, consideration of this element is informed in provision development and provision enhancement in the Borough due to the direct impact this will have to limiting students travelling outside the Borough. This would support reduced emissions of CO2.
- 11.2 Wider consideration of indirect implications or unintended consequence of work in this area has on CO<sub>2</sub> Emissions and Climate Change is considered across all partners as the Council are committed to long term targets to mitigate these areas of concern in the Borough. An environmental impact assessment has been completed and is an appendix to this report.

## **12. Implications for Partners**

- 12.1 Ongoing updates are provided to key stakeholders including Parent/carers forum, health leaders, school leaders, Schools Forum, and other associated stakeholders.
- 12.2 Development of specialist SEND provision in the Borough will enhance SEND practice for all SEND need types in the Borough and will support areas of focus to enhance SEND capacity across the education system in Rotherham enhancing SEND provision in Rotherham schools.

### 13. Risks and Mitigation

- 13.1 Ongoing updates are provided to key stakeholders including Parent/carers forum, health leaders, school leaders, Schools Forum, and other associated stakeholders.

### 14. Accountable Officers

Name, Helen Sweaton Joint Assistant Director Commissioning, Performance and Quality. Children and Young People's Services

Approvals obtained on behalf of Statutory Officers: -

|  | <b>Named Officer</b> | <b>Date</b> |
|--|----------------------|-------------|
| Chief Executive  | Sharon Kemp          | 23/06/25    |
| Strategic Director of Finance & Customer Services<br>(S.151 Officer) | Judith Badger        | 09/06/25    |
| Assistant Director, Legal Services<br>(Monitoring Officer)           | Phil Horsfield       | 04/06/25    |

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