



## Memorandum of Understanding

### The Butterfly Hub (TBH)

#### Admissions and Placement Framework

#### Approval and Review

Approved by: Governing Body  
Date Approved: Tuesday 24<sup>th</sup> March 2026  
Review Date: March 2027  
Responsible Officer: Headteacher

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## **1. Purpose of this Memorandum**

This Memorandum of Understanding (MOU) sets out the principles, processes and safeguards governing admission to, and placement within, The Butterfly Hub (TBH).

TBH is an internal specialist provision within Downlands Community School - a Local Authority maintained school. It is not a Local Authority commissioned resourced provision and does not operate as a separate school. TBH is ideally designed to meet the needs of children with complex communication needs with an EHCP, who are eligible for specialist appropriate funding, and who may be waiting for a place at a specialist school. Nevertheless, because of the unique nature of the school setting, being behind the wire of Blandford Garrison, children's diagnostic pathway is frequently interrupted for a variety of reasons. Therefore, TBH will also be needed for eligible children who have not yet received an EHCP. Furthermore, the school will prioritise services families, especially those living on Blandford Camp.

The purpose of this document is to:

- Provide clarity for governors, parents and the Local Authority.
- Safeguard pupil outcomes and wellbeing.
- Protect the efficient education of all pupils.
- Ensure financial and staffing sustainability.
- Clarify the relationship between TBH and statutory SEND processes.

This MOU operates alongside:

- The LA/School Admissions Policy
- The SEND Policy
- The SEND Information Report
- The Children and Families Act 2014
- The SEND Code of Practice (2015)
- The Equality Act 2010

## **2. Status of The Butterfly Hub**

TBH:

- Forms part of the mainstream school.
- Is not separately commissioned or funded by the Local Authority.
- Is not a Section 41 approved independent special school.
- Does not operate a separate admissions process.

All pupils accessing TBH are admitted to Downlands Community School via Local Authority Admissions processes. Places for children with an education, health and care plan must be applied for via the special educational needs and disabilities team for the North Locality. [See this website](#) for more details. Such applications will be considered as part of a consultation process, whereby the Headteacher and SENDCo will decide whether needs can be met alongside the dynamic of group of children currently using the setting.

## **3. Purpose and Design of TBH**

TBH is designed to support pupils with Complex Communication Needs who require provision beyond ordinarily available classroom support.

It provides:

- A highly structured environment.
- Specialist communication support.
- Adapted curriculum pathways.
- Graduated integration with mainstream learning.
- Enhanced adult-to-pupil ratios.

TBH is not intended to replace specialist school provision where that would be more appropriate.

#### **4. Capacity and Sustainability**

##### **4.1 Planned Capacity**

- Planned operational range: 6–8 pupils.
- Absolute maximum: 8 pupils.

Capacity is determined by:

- Communication and behavioural profile of the group.
- Safe staffing ratios.
- Physical space.
- Funding availability.
- Safeguarding considerations.
- Impact on efficient education of other pupils.

The Governing Body recognises that TBH capacity is complexity-dependent and not solely space-based.

##### **4.2 Variation to Capacity**

TBH numbers will not exceed the agreed maximum without:

- Formal review by the Governing Body.
- Consideration of staffing and financial impact.
- Consultation with the Local Authority where relevant.

#### **5. Eligibility Profile**

TBH is designed for pupils who:

- Present with Complex Communication Needs.
- Require specialist support beyond ordinarily available provision.
- Benefit from a blended mainstream and specialist approach.
- Require significant scaffolding in communication, regulation and learning.

Ideally, children using TBH will have an EHCP and will be eligible for specialist appropriate funding, waiting for a place in a specialist setting to become available. Children admitted to TBH who have no links to services families and do not live on Blandford Camp must have specialist appropriate funding and be waiting for a specialist place to become available.

Beyond the criteria set out above, placement decisions are based on:

- Functional presentation.
- Professional assessment.
- Evidence of sustained need.
- Educational impact.

Pupils may:

- Have an Education, Health and Care Plan (EHCP).
- Be undergoing statutory assessment for an EHCP\*.
- Be further behind in the diagnostic pathway, but have clear, complex communication needs which indicate that being based in TBH would be beneficial\*.

\* Only children from services families who live on camp will be admitted with this lowered criteria of eligibility.

## **6. Relationship with EHCPs and the Local Authority**

Where a pupil has an EHCP:

- The Local Authority retains statutory responsibility for naming the school in Section I.
- The school will respond formally to consultation requests.
- The school may advise if it believes it cannot meet need within its current capacity, staffing, funding or safeguarding framework.

Naming of the school in an EHCP does not constitute automatic placement within TBH.

Internal placement decisions remain the responsibility of the Headteacher in line with this MOU.

## **7. Funding Principles**

TBH operates within the school's overall funding envelope and is not a separately commissioned provision.

To ensure sustainability:

- Placement within TBH must be supported by appropriate funding.
- Funding sources may include:
  - EHCP top-up funding.
  - High Needs Block allocations.
  - Service-linked charitable funding.
  - Other agreed arrangements.

The school reserves the right to decline placement within TBH where:

- Funding is insufficient to maintain safe staffing ratios.
- The placement would create unreasonable financial pressure.
- Specialist staffing cannot be sustained.

The Governing Body acknowledges that a “critical mass” of appropriately funded pupils is necessary to maintain specialist staffing and expertise.

## **8. Service Families Consideration**

In recognition of the school’s context and charitable funding arrangements linked to Service communities:

Priority consideration may be given to pupils from Service families with Complex Communication Needs, where this aligns with:

- The core purpose of TBH.
- Funding agreements.
- Capacity and suitability.

This does not create automatic entitlement and remains subject to capacity, suitability and safeguarding considerations.

## **9. Referral and Placement Process**

### **9.1 External Admissions (New Pupils)**

Where an EHCP exists:

1. Local Authority consultation.
2. Review of documentation and needs profile.
3. Capacity and sustainability review.
4. Consideration of:
  - Group dynamics.
  - Risk assessment.
  - Staffing impact.
  - Funding confirmation.
5. Discussion with parents and LA where appropriate.
6. Written response within statutory timelines.

Where no EHCP exists:

- Admission follows mainstream admissions arrangements.
- Internal review determines suitability for TBH.

### **9.2 Internal Allocation (Existing Pupils)**

For pupils already on roll:

1. Review through the graduated approach.
2. Evidence of sustained high-level need.
3. Senior leadership discussion.

4. Capacity and sustainability check.
5. Parent consultation.
6. Time-limited placement review where appropriate.

Placement in TBH will be reviewed termly.

## **10. Diagnostic Pathway Considerations**

The school recognises that:

- Some pupils may experience delays in diagnostic assessment.
- Overseas postings and age may affect assessment timelines.
- Service children may face interrupted assessment pathways.

Placement decisions are therefore based on demonstrated educational need rather than formal diagnosis alone.

## **11. Safeguarding Efficient Education**

In accordance with the Children and Families Act 2014 and SEND Code of Practice, the school may decline TBH placement where it would:

- Compromise the efficient education of other pupils.
- Exceed safe staffing ratios.
- Create unsafe behavioural dynamics.
- Undermine financial sustainability.
- Present safeguarding risks that cannot reasonably be mitigated.

Decisions will be evidence-based and documented.

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## **12. Monitoring, Governance and Review**

The Governing Body will:

- Review TBH numbers annually.
- Review financial sustainability annually.
- Monitor impact on whole-school inclusion.
- Review staffing structure and safety.
- Monitor compliance with SEND legislation.
- Review this MOU annually or sooner if required.

## **13. Equality and Non-Discrimination**

The school is committed to meeting its duties under the Equality Act 2010.

Decisions regarding TBH placement will:

- Be needs-led.

- Be transparent.
- Avoid unlawful discrimination.
- Be recorded and reviewable.

#### 14. Review and Amendment

This Memorandum of Understanding will be reviewed annually by the Governing Body or sooner in response to:

- Legislative change.
- Significant change in pupil profile.
- Funding change.
- Direction from the Local Authority.

#### Final Governance Note

This MOU clarifies process and safeguards but does not override statutory admissions law or the Local Authority’s statutory responsibilities in relation to EHCPs.

### Appendix A

#### Risk Management Framework – The Butterfly Hub (TBH)

This risk matrix supports the Governing Body in overseeing the safe, lawful and sustainable operation of The Butterfly Hub (TBH).

It is reviewed annually alongside the TBH Admissions & Placement MOU.

#### Capacity & Operational Risk

Risk	Impact	Likelihood	Mitigation	Monitoring
TBH numbers exceed safe operational capacity	Compromised pupil safety, reduced quality of provision, staff burnout	Medium	Maximum cap of 8 pupils; Headteacher approval required for any increase; governor review required	Termly report to governors on TBH numbers

Risk	Impact	Likelihood	Mitigation	Monitoring
Increasing complexity without staffing adjustment	Unsafe group dynamics; reduced progress	Medium	Placement review prior to admission; funding confirmation before placement; behaviour risk assessment	Termly report to governors on TBH pupil profile
Pressure from LA to increase numbers due to school being under PAN	Drift beyond specialist model; unsustainable expansion	Medium	Formalised capacity limit within MOU; evidence-based responses to consultations	Annual review of MOU

### Financial Sustainability Risk

Risk	Impact	Likelihood	Mitigation	Monitoring
Insufficient specialist appropriate funding	Inability to maintain specialist staffing	Medium	Placement conditional on confirmed funding; annual budget review	Annual SEND financial review
Over-reliance on charitable funding	Financial instability if funding changes	Low–Medium	Annual review of charitable funding agreements; maintain diversified funding sources	Report to governors annually
Drop below “critical mass” of funded pupils	Loss of specialist staff; erosion of expertise	Medium	Maintain minimum viable numbers; strategic engagement with LA	Termly monitoring

### Legal & Statutory Risk

Risk	Impact	Likelihood	Mitigation	Monitoring
Misalignment with EHCP statutory processes	Legal challenge / Tribunal risk	Low	Clear separation of school admission and TBH internal placement; documented consultation responses	Headteacher oversight
Unlawful discrimination (e.g. Service priority misinterpreted)	Legal challenge; reputational damage	Low	“Priority consideration” wording only; needs-led decisions; Equality Act compliance	Annual policy review
Inconsistent placement decisions	Tribunal vulnerability	Medium	Clear documented decision-making process; recorded rationale	File audits annually

### Educational Quality Risk

Risk	Impact	Likelihood	Mitigation	Monitoring
TBH becomes long-term segregation without integration	Reduced inclusion outcomes	Low–Medium	Planned integration pathways; termly review of mainstream access	SEND governor visit
Group dynamic escalates due to behavioural mix	Reduced progress for all pupils	Medium	Behaviour risk assessment before admission; cap of 8; staffing adjustment	Termly review meeting
Pupils placed without clear exit/review strategy	Drift and reduced ambition	Medium	Termly placement review; EHCP annual reviews	SEND reporting cycle

### Reputational Risk

Risk	Impact	Likelihood	Mitigation	Monitoring
Perception that TBH is a “special school within a school”	Community misunderstanding; LA pressure	Medium	Clear communication of blended model; website clarity	Annual review
Perception of selective admissions	Challenge from parents/LA	Low	Transparent MOU; published framework; equality compliance	Governor oversight
Tribunal challenge due to refusal	Time and reputational cost	Low–Medium	Evidence-based refusal rationale; documented capacity/funding evidence	Headteacher oversight

### Safeguarding Risk

Risk	Impact	Likelihood	Mitigation	Monitoring
Staffing ratios fall below safe levels	Safeguarding breach	Low	Placement contingent on funding; clear staffing model	DSL & Headteacher

<b>Risk</b>	<b>Impact</b>	<b>Likelihood</b>	<b>Mitigation</b>	<b>Monitoring</b>
High behavioural escalation within group	Injury risk; staff absence	Medium	Behaviour risk assessment; structured environment; trained staff	Termly review
Increased complexity without space adaptation	Physical safety concerns	Low	Capacity cap; environmental risk assessment	Annual premises review

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### **Risk Rating Summary (Governor Overview)**

The most significant ongoing risks are:

1. Capacity drift due to LA pressure.
2. Financial sustainability if funding fluctuates.
3. Complexity increase without staffing increase.
4. Maintaining clear distinction between school admission and TBH placement.

These risks are mitigated through:

- Defined cap of 8 pupils.
- Funding confirmation requirement.
- Formalised placement process.
- Annual governor review.
- Clear documented rationale for decisions.