

SAFETY VALVE PROGRAMME OVERVIEW

LA Name	Date Report Submitted	Signed off by S151 Officer & Director of Children's Services	Name & Email Address of Key Personnel	
Kent County Council	27.08.24		CEO:	Amanda Beer
			S151 Officer:	John Betts
Do you need additional support from either of our specialist SEND advisers (early years / inclusion) to support the effective delivery of your Safety Valve plan? If yes, please specify which area (early years / inclusion) you would like extra support in, giving a brief overview of how this support would be beneficial.			DCS:	Sarah Hammond
			Other key contacts for Safety Valve:	Christine McInnes Karen Stone Lynn Horsfield
Yes, previously asked for Early Years support and contact now has been made with DfE advisor				

Is your LA's Safety Valve plan on track?	Yes/No	Commentary
To achieve the Safety Valve agreement's projected deficit in the current year?	No	<p>The May report highlighted we were not expecting to meet the original safety valve target of an in-year overspend on the DSG of £29.9m (before additional contributions from the safety valve or LA contributions). Initially the overspend was expected to be around £42m. However, the latest forecast is indicating this overspend may increase further to around £46m, resulting in us forecasting to be c£3m short of our planned cumulative deficit position as of March 2025, whilst this is not where we would like to be this does only equate to approximately c1% of the overall cumulative deficit.</p> <p>At the time of writing, we are waiting on the final outcomes of key phase transfer school/Post 16 data, along with other placement changes agreed for the Autumn term. The outcome of appeals is also unknown. Whilst the overall number of EHCPs is relatively in line with forecasts, it is placement costs that are a key concern. Mainstream schools are continuing to identify significant numbers of children whose costs of support are greater than £6k of additional support. This along with higher average cost for independent school placements and having to provide 1% higher increases to our state-funded settings (schools & post 16) than originally expected in the plan has added further pressure. Our original plan also expected our new SEMH special school would be opened by September 2024, this has been delayed due to a late change in trust leadership. In addition, the plan also assumed 2 of the 3 new special schools applied for would begin a phased opening (on the basis of accelerated programme) however it is now unlikely these schools will be opened until September 2027 (at the earliest), this accounts for £1.9m of the in-year deficit.</p>

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To achieve a £0 DSG deficit by the end of the Safety Valve agreement?	No	In this report we have updated the profile to reflect the impact of the reduction in the number of new special places we expect to be available as a result of the decisions and delays by the DfE / ESFA in respect of the application for the 3 new special schools, built into our original safety valve plan, which is something outside the jurisdiction of this authority. The profile still assumes that other risks linked with high cost of placements due to inflation and market conditions, along with demands in mainstream schools can be mitigated through other actions. This results in a residual accumulated deficit of £23m by March 2028 (after safety valve contributions).
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Is your LA's Safety Valve capital project on track?	Yes/No	Commentary
	No	Due to the 3 new schools, one not agreed and the other 2 are subject to lengthy delays.

Programme Headlines

This quarter, the biggest drivers of positive change have been (up to 3):

- Increase in % no decisions for EHCNA during the last year
- Localities work showing that school leaders are keen to work together to better support CYP (Children and Young People) in their local areas
- More CYP at phase transfer entering mainstream settings

This quarter, the biggest barrier(s) to successful implementation of the Safety Valve plan have been (up to 3):

- Number and cost of CYP placed in independent sector rising
- EY numbers of EHCPs rising rapidly
- Culture of parents within Kent who see Special schools as the only option for their children

This quarter, the best examples of stakeholder engagement around the Safety Valve plan have been (up to 3):

- Localities work with Head teachers has had positive impact
- Special School consultations have had large numbers attending and extra events scheduled

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Alongside your Safety Valve financial and narrative monitoring reports, please share with us the latest strategic data dashboard utilised by your governance oversight board for Safety Valve.

NB This should not be something created for the DfE Safety Valve monitoring process; if you do not have a strategic data dashboard, just let us know.

Agreement Condition 1: Implement a countywide approach to 'Inclusion Education', to further build capacity in mainstream schools to support children and young people with Special Educational Needs and Disabilities (SEND), thus increasing the proportion of children successfully supported in mainstream education and reducing dependence on specialist provision	Data Source	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24
Percentage of young people in year R-6 with an EHCP in specialist provision	MI	38.4	38.4	42.3	41.4	40.7	40.0	39.2	38.4	37.6	37.2	36.8	36.3	35.5
Percentage of young people in year 7-11 with an EHCP in specialist provision	MI	55.3	54.8	56.7	56.6	56.3	56.2	55.9	55.6	55.2	54.8	54.6	54.5	54.4
Percentage of young people in year 12-14 with an EHCP in specialist provision	MI	35.4	33.8	38.3	38.3	38.5	38.7	38.5	38.4	38.5	38.5	38.3	38.3	37.8
Percentage of School Age CYP (Yr R to Yr13) with an EHCP who are in a mainstream setting	MI	40.8	38.9	39.3	39.6	39.7	40.4	41.0	41.2	41.7	41.9	41.9	42.1	42.0
Percentage uptake for leadership programmes and MCS work from schools														

Agreement Condition 2: Introduce a robust Special Educational Need (SEN) offer for early years, following a review, which explores alternatives to special school admission before Key Stage 2 (KS2), SEN redesign and implementation of County Approaches to Inclusive Education (CAiE) to support consistent mainstream offer, including leadership development programmes, peer review and core training offer	Data Source	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24
Overall number of EHCPs at EY/KS1	MI	2,584	2,632	1,899	2,030	2,111	2,194	2,338	2,440	2,563	2,665	2,816	2,952	3,113
Percentage of EY/KS1 moving into Special/Independent (%)	MI	-	-	-	0.3	0.4	0.0	0.5	0.2	0.1	0.4	0.1	0.1	0.2

Agreement Condition 3: Review the system of Educational Health and Care Plan (EHCP) assessments and annual reviews to ensure robustness, transparency, and consistency, through use of consistent criteria and practice framework	Data Source	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24
Number of EHCP requests agreed at Assessment stage	MI	200	197	167	135	224	301	212	92	148	138	137	142	166
Percentage of EHCP requests agreed at Assessment stage (%)	MI	61.3	60.8	60.9	53.6	62.6	70.2	55.6	30.8	37.0	36.5	40.2	42.8	45.9
Number of EHCP requests declined at Assessment stage	MI	126	127	107	117	134	128	169	207	252	240	204	190	196
Percentage of EHCP requests declined at Assessment stage (%)	MI	38.7	39.2	39.1	46.4	37.4	29.8	44.4	69.2	63.0	63.5	59.8	57.2	54.1
Number of EHCP requests agreed at Issue stage	MI	189	266	193	244	247	188	206	160	184	189	210	189	175

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Percentage of EHCP requests agreed at Issue stage (%)	MI	94.5	92.7	93.2	96.1	95.4	93.5	80.8	69.0	78.0	82.2	81.1	84.4	83.7
Number of EHCP requests declined at Issue stage	MI	11	21	14	10	12	13	49	72	52	41	49	35	34
Percentage of EHCP requests declined at Issue stage (%)	MI	5.5	7.3	6.8	3.9	4.6	6.5	19.2	31.0	22.0	17.8	18.9	15.6	16.3
The number of needs assessments currently underway	MI	2,194	2,072	2,023	2,081	2,209	2,192	2,047	1,828	1,704	1,476	1,306	1,148	1,084
Percentage of Annual Reviews Overdue (%)	MI	200	197	167	135	224	301	212	92	148	138	137	142	166
Number of Annual Reviews overdue	MI	61.3	60.8	60.9	53.6	62.6	70.2	55.6	30.8	37.0	36.5	40.2	42.8	45.9

Agreement Condition 4: Implement models of reintegration of children from Special/Independent schools to mainstream where needs have been met	Data Source	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24
Number of CYP in Special/Independent moving into Mainstream - At Phase Transfer	MI	IN	DEV	ELO	PME	NT		NOT	AVA	ILA	BLE			
Number of CYP in Special/Independent moving into Mainstream - At Annual Review	MI	IN	DEV	ELO	PME	NT		NOT	AVA	ILA	BLE			
Number of CYP in Mainstream moving into Special/Independent - At Phase Transfer	MI	IN	DEV	ELO	PME	NT		NOT	AVA	ILA	BLE			
Number of CYP in Mainstream moving into Special/Independent - At Annual Review	MI	IN	DEV	ELO	PME	NT		NOT	AVA	ILA	BLE			
Number in CYP in Special/Independent moving into Mainstream - Total (not split by AR or PT)	MI					5	0	3	2	3	6	2	0	3
Number of CYP in Mainstream moving into Special/Independent - Total (not split by AR or PT)	MI					5	28	37	21	17	24	24	34	29

Agreement Condition 5: Develop a robust Post-16 offer across the county with clear pathways to independence for children with SEN, through increased Post-16 opportunities for preparing for adulthood	Data Source	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24
Percentage post 16 in Special/Independent	MI	32.3	32.1	35.5	35.3	35.3	36.7	37.2	36.8	37.1	36.8	37.0	37.2	35.8
Percentage post 16 in Mainstream inc FE colleges	MI	42.6	44.4	43.1	43.0	43.4	43.1	42.2	41.0	41.0	40.7	40.5	39.8	39.5
What provision is available and development of new courses/provision	MI	IN	DEV	ELO	PME	NT		NOT	AVA	ILA	BLE			
Percentage Annual Reviews that ceased 16-18 yr. olds (%)	MI	20.4	5.3	2.8	13.5	15.2	0.9	1.0	3.9	4.3	4.7	2.9	4.3	4.9
Percentage Annual Reviews that ceased 19 -25 yr. olds (%)	MI	78.6	92.1	91.7	76.9	82.3	98.4	96.8	91.4	94.8	95.3	94.5	92.4	85.9

Agreement Condition 6: Develop the Transition Charter to increase parental confidence in Kent's provision. This involves working with schools to enable them to articulate the provision pathways for parents clearly and provide support to both children and parents at key transition points	Data Source	IN	DEV	ELO	PME	NT		NOT	AVA	ILA	BLE			
Phase transfer data, percentage placed in local provision and percentage in Special and Percentage independent	MI	IN	DEV	ELO	PME	NT		NOT	AVA	ILA	BLE			
Tribunal data Number placed in Independent/Special after appeal	TT	IN	DEV	ELO	PME	NT		NOT	AVA	ILA	BLE			

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Agreement Condition 7: Ensure there is sufficient and consistent capacity across the county to support children with severe and complex needs in their local area where possible. This includes recruitment of temporary posts to support sufficiency planning, reviewing the use of Specialist Resource Provision (SRP) and reviewing the specialist continuum to ensure only the most severe and complex needs are supported in special schools	Data Source	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24
Number of CYP with no place at all (NCP + Unknowns)	MI				927	822	762	745	892	906	955	970	1,002	1,196
Number in individual provision	TT	IN	DEV	ELO	PME	NT		NOT	AVA	ILA	BLE			
		2021-22 FY			2022-23 FY		2023-24 FY		2024-25 (Summer 2024 Estimate)		2024-25 (Autumn 2024 Estimate)		2024-25 (Spring 2025 Estimate)	
Average cost to support in independent schools - Primary	Fin	£48,034			£49,711		£47,612							
Average cost to support in Maintained Special – Primary (per pupil per year)	Fin	£19,994			£20,371		£21,771							
Average cost to support in independent schools – Secondary	Fin	£43,497			£45,742		£47,959							
Average cost to support in Maintained Special – Secondary (per pupil per year)	Fin	£22,146			£22,248		£23,177							
Average cost to support in independent schools (incl. ISPs) - Post 16	Fin	£50,819			£51,109		£61,319							
Average cost to support in Maintained Special - Post 16 (per pupil per year)	Fin	£26,299			£28,118		£29,820							
		2021-22 AY			2022-23 AY		2023-24 AY		2024-25 AY					
Commissioned places each year for Special schools - Pre and Post 16	Fin	-			-		5,959		6,282					
Commissioned places each year SRPs - Pre and Post 16	Fin	-			-		1,430		1,430					
	Data Source	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24
Percentage of commissioned places filled in Special schools - Pre and Post 16	Fin	101.02%	100.92%	100.92%	102.87%	103.27%	103.56%	103.52%	104.16%	104.21%	104.23%	104.38%	104.33%	104.61%
Percentage if commissioned places filled SRPs - Pre and Post 16	Fin	98.18%	97.69%	97.69%	96.99%	97.76%	98.32%	98.11%	98.81%	99.02%	98.95%	99.65%	99.72%	100.28%

Agreement Condition 8: Develop a school/area-led approach to commissioning of SEN support services (Locality Based Resources), to better respond to the needs of children and young people with SEND	Data Source	2021-22 FY	2022-23 FY	2023-24 FY	2024-25 (Summer 2024 Estimate)	2024-25 (Autumn 2024 Estimate)	2024-25 (Spring 2025 Estimate)
Average cost to support in mainstream - EHCP's Actual Rate (contains all the HNF details)	MI	£8,276	£8,461	£8,717	£8,972		

Agreement Condition 9: Continue working closely with NHS Kent and Medway to ensure a common understanding of	Data Source	IN	DEV	ELO	PME	NT	NOT	AVA	ILA	BLE				
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SEND needs, including the drivers behind increases in need, ensuring clarity of clinical assessment and the subsequent funding associated.														
Numbers of joint funded placements and total cost	Com	IN	DEV	ELO	PME	NT		NOT	AVA	ILA	BLE			

SAFETY VALVE PROGRAMME DETAILED UPDATE

Agreement Condition	Assurance Level	Progress Update from this Quarter <i>Please include/refer to relevant data and evidence to support your rating and explain the scale of any impacts</i>
<p>Condition 1: Implement a countywide approach to 'Inclusion Education,' to further build capacity in mainstream schools to support children and young people with Special Educational Needs and Disabilities (SEND), thus increasing the proportion of children successfully supported in mainstream education and reducing dependence on specialist provision;</p>	Update 1 (May)	<p>The percentage of CYP In year R-6 in specialist settings sits at 35.5% a reduction of 2.9% since July 23 and those in year 7-11 54.4% a reduction of 1.1% however we have much more to do within the older age groups as discussed under condition 5 where CYP in year 12-14 sits at 37.8% an increase of 2.4%.</p> <p>As discussed previously much of the project work to build capacity within the mainstream settings has been completed with the final pieces detailed below. Implementation of this work is ongoing, and we would expect to see continued impact and a reduction in percentages placed within specialist settings year R-13 during the next few years of the Safety Valve programme. Overall progress shows July 2024 42% of school age CYP are placed within a mainstream setting increasing 1.2% since July 2023</p> <p>The Specialist Teaching and Learning Service (STLS) / Lift Review intends to undertake a formal public consultation following the update presented to CYPE Cabinet Committee on 9 July. The consultation will focus on understanding in more detail what gaps in provision it may fill within the new ways of working related to SEND transformation in Kent. This intention was also discussed at School Funding Forum during July. Drafting of consultation documents and questionnaire has commenced and areas of focus shared with STLS representatives on 17 July with the intention that the consultation lasts for a period of eight weeks.</p>
	G	
	Update 2 (August)	
	G	
<p>Condition 2: Introduce a robust Special Educational Need (SEN) offer for early years, following a review, which explores alternatives to special school admission before Key Stage 2 (KS2), SEN redesign and implementation of County Approaches to Inclusive Education (CAIE) to support consistent mainstream offer, including leadership development programmes, peer</p>	Update 1 (May)	<p>Much more work is needed to reduce the numbers of EHCPs within Early Years/KS1 as our numbers have increased by 529 from 2,584 July 2023 to 3,113 July 24 in part by the backlog being cleared but also from an increase in Nursery 2 EHCPs issued since January 2024</p> <p>Early Years Review outcomes of the public consultation were discussed at Cabinet Committee in July and the recommendation was to implement the revised model of universal, targeted and specialist support alongside a revised process to access SENIF, this was endorsed by the Committee. A subsequent discussion was held at Schools Funding Forum and planning is now underway to implement this decision, including development of an implementation plan and business case to address capacity issues within KCC early years teams. The review phase of the project is complete, and it will move to implementation stage from August 2024. It is anticipated that this work and the additional support</p>
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	Update 2 (August)	
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<p>Update 3 (November)</p>	RAG	

SAFETY VALVE PROGRAMME DETAILED UPDATE

Agreement Condition	Assurance Level	Progress Update from this Quarter <i>Please include/refer to relevant data and evidence to support your rating and explain the scale of any impacts</i>
review and core training offer		<p>from an Early Years advisor will target the changes needed to reduce the reliance on specialist provision for all but the children with most complex of needs.</p> <p>We have continued to promote Dingley's promise through various comms channels; Send Newsletter, Staff bulletin, EYFS newsletter, TEP EYFS conference and LinkedIn and a Vlog talking about Dingley and the training available is now available. By the end of June, we have had 88 settings start the Dingles training and 137 delegates with SENCO and practitioners being the highest subscriber. Challenging behaviours training Has had the highest uptake.</p>
Condition 3: Review the system of Educational Health and Care Plan (EHCP) assessments and annual reviews to ensure robustness, transparency, and consistency, through use of consistent criteria and practice framework	Update 1 (May)	<p>There continues to be a drop in the number of requests for assessment being processed down from 1,884 in March 2023 to 1084 July 2024.</p> <p>Changes discussed previously in the panels and the now more robust process to agree to assess has resulted in a drop in Yes to assess decisions during the last year, but they have increased since March by 8.9% to 45.9% July 2024.</p> <p>The number of decline to issue has also reduced from 5.7% over the same period so whilst progress is good overall during the year it needs to be maintained month on month by consistent and robust decision making. This has resulted in an increase of 121 more appeals during quarter 1 and 2 than we saw in 2023 which we almost always lose.</p> <p>The percentage of assessments completed within a - week timeframe has improved to currently sit at 50.5%</p> <p>The Annual Review backlog team continue to make significant progress with their work, 7,438 annual reviews were overdue in July 2024 which is a significant reduction of 4,923 during the last year and this in addition to the large number of EHCPs ceased by this team with no parental complaints since the team were formed 18 months, which against a background of high numbers of complaints in other areas is a significant achievement.</p> <p>Work continues to improve the quality of EHCP writing within the casework teams and training tips and principles for writing clear and accurate notes on synergy and pupil file have been shared and will be included in future training from the QPD team.</p> <p>Annual Review Integration with ICS work continues to</p>
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	Update 2 (August)	
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	Update 3 (November)	
	RAG	

SAFETY VALVE PROGRAMME DETAILED UPDATE

Agreement Condition	Assurance Level	Progress Update from this Quarter <i>Please include/refer to relevant data and evidence to support your rating and explain the scale of any impacts</i>
		<p>focus on what we need to do to ensure this is BAU (Business as Usual) from September 2024. The implementation plan will be developed and rolled out from September with input from the appropriate teams in SEN, VSK and ICS. Parent/carer feedback continues to be positive with no adjustments to our new process being suggested demonstrating that these combined meetings are a positive outcome for all involved.</p>
<p>Condition 4: Implement models of reintegration of children from special/independent schools to mainstream where needs have been met;</p>	Update 1 (May)	<p>We are still in a position where more CYP are moving into specialist/independent than are moving out. Since we have had detailed data available in November 2023, we have seen 24 CYP move out and 219 move in which is why this area remains substantial risk. Work continues at pace within this area to change these statistics. It is recognised that movement tend to be more successful at phase transfer and less so at other points in the education journey, so there has been a high degree of scrutiny from the Safety Valve Programme Board on assurances that this phase transfer work remains on track to deliver the necessary movement into mainstream. More detail of the success for 24/25 phase transfer will be available once all placements have been made for this year. Focus from some of the other project work has been moved into Independent Placement and other local authorities (OLA) Specialist Post 16 provision.</p> <p>Preparing for adulthood (SPI's/PFA) work progresses well and the initial cohort has been chosen and discussed with new phase transfer team, both dates and share point access will be available soon, so this will allow easier access for next academic year.</p> <p>A more robust stance on transport being declined for learners who are not eligible is also having a positive impact on costs. Training has also been scheduled for SPIs and speakers confirmed and this increase in knowledge is anticipated to offer better availability of progression routes for young people as they transition into adulthood that does not always rely upon specialist /independent placements</p> <p>Decision on establishing a clear process for consistent future use of independent mainstream placements is still ongoing, agreement has now been made that these will not be agreed unless in exceptional circumstances. Decision around whether discretionary learning support funding can be ended for pupils currently receiving this under historic agreements is pending awaiting legal advice prior to a final decision being made. Information from analysis of phase transfer data available so far</p>
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	Update 2 (August)	
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	Update 3 (November)	
	RAG	

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		<p>indicates that alternative placements have been identified for 66% of these pupils although more, placements continue to be agreed via tribunal so this will reduce.</p> <p>Safety valve casework officer is working on casework for pupils at our two most frequently used independent mainstream placements and has undertaken liaison with tribunals team around appropriate wording for section I when plans are updated following annual reviews, with a view to ensuring current arrangements around parents fully or part funding placements are clearly and consistently recorded on the EHCP, this includes a signed letter of agreement from parents, with the aim of preventing future liability or increased liability for fees under section 63 of the Children and Families Act. Planned visits to take place to the two schools where most placements are agreed via tribunal, with an invitation to the headteacher of the local mainstream schools to join the visit (where the response at consultation for some CYP now attending these schools has been no).</p>
Condition 5: Develop a robust Post-16 offer across the county with clear pathways to independence for children with SEN, through increased Post-16 opportunities for preparing for adulthood	Update 1 (May)	<p>The Pathways for All (PfA) Strategic Board met at the end of June, bringing together the Board with its new chair and the new LCPA (Local Collaborative Planning Area) chairs. Work is ongoing between RIG (Recommendation Implementation Groups) and LCPA activity and the relationships between both, starting with the recent joint meeting. Work is underway on a PfA strategy and on how it fits in with the developing Education Strategy, developing a calendar of events and communications, and updating the terms of reference. The project is on track but evidence of impact on CYP will take time to be demonstrated.</p> <p>Preparation for Adulthoods initial cohort of 23 identified young people who were unplaced after phase transfer was shared with the post-16 team with the intention of working with Mid-Kent College to create a pilot group for courses at level 1 which were not previously available, and for level 2 at a slower pace over two years. Of these 23, 20 were sent by the post-16 team with some delays. The college have not yet given responses to all of these, however early communication indicates that they will be able to place some young people but due to delays and issues with recruiting a teacher they may not be able to offer as many places as initially intended, although are open to developing this offer for the future. They have requested a meeting with the ADE to share their business plan for a PMLD (Profound and Multiple Learning Disabilities) provision in September. Mid-Kent College have also discussed their offer this year for an</p>
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	Update 2 (August)	
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	Update 3 (November)	
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		entry level 2 provision but have stated that they have received no consultations to date and have requested opportunities to share their offer in more detail with staff in the post-16 casework team going forwards. Analysis of data following post-16 phase transfer has not yet been completed as this data is not yet available and a 293 young people in Year 11 are still to be placed as discussed in section 6.
Condition 6: Develop the Transition Charter to increase parental confidence in Kent's provision. This involves working with schools to enable them to articulate the provision pathways for parents clearly and provide support to both children and parents at key transition points;	Update 1 (May) G	Phase transfer for Year 6/7 shows 92% of pupils within the original 1,236 phase transfer cohort have been offered a place, 3 have left and 110 have consultations on-going. The measure against our Safety Valve targets for January 2025 are 16 more in mainstream, 26 fewer in Special, 19 more in Independent and 8 fewer in Other, there are 126 more in total numbers with an EHCP than anticipated. It is likely that of these 110 remaining pupils 49 will attend mainstream, 35 Special, 16 Independent and 10 other. Almost half have an ASD need type. Post 16 Phase Transfer forecast for Jan 2025 was 1340 pupils and we currently have 1375 an increase of 35. 1082 have been placed (79%) leaving 293 (31%) still to place. To date we have placed 35 more in mainstream, 102 more in Special, 59 fewer in Independent and 77 fewer in Other. Of the remaining 293 still to place it is anticipated 170 will be mainstream, 80 Special or Independent and 43 Other. This data has come directly from the SEN service and is correct as of July as it is not currently held on our Synergy system. Phase Transfer team are now in place to co-ordinate data collation for phase transfer 24/25 across Reception, Junior, Secondary and all Post 16 phase transfer cohorts and new systems are in place to distinguish between Mainstream and SRP placements for next year. Safety Valve forecasts had assumed work to increase pathways to post 16 / FE colleges would have occurred and be ready for September 2024. The FE colleges are keen, and some discreet pilot groups have been set up with Mid Kent College as discussed in section 5, but delays have meant fewer number of YP (Young People) are likely to be placed than we had hoped, and this has impact upon our ability to meet target numbers for 24/25.
	Update 2 (August) G	
	Update 3 (November)	
	RAG	
Condition 7: Ensure there is	Update 1 (May)	The number of CYP with no place at all (NCP + Unknowns) continues to increase and as of July 2024

SAFETY VALVE PROGRAMME DETAILED UPDATE

Agreement Condition	Assurance Level	Progress Update from this Quarter <i>Please include/refer to relevant data and evidence to support your rating and explain the scale of any impacts</i>
sufficient and consistent capacity across the county to support children with severe and complex needs in their local area where possible. This includes recruitment of temporary posts to support sufficiency planning, reviewing the use of Specialist Resource Provision (SRP) and reviewing the specialist continuum to ensure only the most severe and complex needs are supported in special schools	A	sits at 1,196 and we have 104.61% of commissioned places filled in Special Schools and 100.28% filled in SRPs (pre and post 16). The work continues to progress on the Special School review, and we have held engagement meetings with wide range of stakeholders (parents x 4; mainstream schools x 4; and Chairs of Governors). We have had a legal challenge and responded to this call for a change to description of Valence School designation which has led to extension of the special school review deadline to 14th August. Implementation of the project plan will require co-ordination and project management to secure consistent roll out of recommendations across the County and link this with other key developments, e.g. SEMH schools' provision aligned with AP and PRU provision; establishing best value and looking for opportunities to share school leadership expertise across more than one school.
	Update 2 (August)	
	A	
	Update 3 (November)	
Condition 8: Develop a school/area-led approach to commissioning of SEN support services (Locality Based Resources), to better respond to the needs of children and young people with SEND	RAG	The average cost to support in mainstream sits currently at £11,039 significantly lower than many Special School and Independent places. Within the locality work clusters are being prepared and a timetable of activity for the next academic year is being planned and published to schools to prepare the system for the change ahead. The Continuum of Need and Provision has been developed in collaboration with schools and will inform the funding structure in the future with the first funding workshop complete, operational guidance is being prepared and communities of schools socialisation meetings being scoped and will be finalised in the Autumn term 2024 allowing decision making regarding statutory assessment requests and placement decisions and informed funding decisions to be made with more local transparency under the new funding model.
	Update 1 (May)	
	G	
	Update 2 (August)	
Condition 9: Continue working closely with NHS Kent and Medway to ensure a common understanding of SEND needs, including the drivers behind increases in need, ensuring clarity of clinical assessment and the subsequent funding associated.	G	We have been consistently improving our joint funding work and have endorsed 46 more referrals, changed, or partly agreed 11 and have 51 open and awaiting funding decisions. Since the start of the JFO process in October 2023 numbers have increased from a maximum of 17 per quarter to 59 in Q3 23/24 and 45 in Q4 23/24. Many more cases have been assessed as eligible for Health funding from 0.7 per month pre JFO to 3.3 per month since JFO. In addition, the time taken to come to agreements has reduced from an average of 226 days to 158 days. The PINS project started in May when we planned out
	Update 3 (November)	
	RAG	
	Update 2 (August)	
	Update 1 (May)	

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		<p>the project for delivery in September 2024 with completion by March 2025. The planning phase entailed engaging with 20 schools in Kent and 20 schools in Medway to be part of the PINS project. Establishing stakeholders to become part working groups for comms, for schools for parents, an oversight group, and a regular operational meeting with the Medway project team to ensure a collaborative approach.</p> <p>We are now at the design phase where we are talking to service providers as to what they can deliver to schools that falls within the criteria of the project. From this, we will create a “menu of support” for schools to access based on a universal and enhanced system. The objectives of the project are:</p> <ul style="list-style-type: none"> • Upskilling mainstream schools. • Improving outcomes for neurodiverse pupils in attendance, attainment, and wellbeing. • Reducing referrals for additional individual support or assessments • Building strong relationships with parents <p>This is very much a tri-partite project with health, education and local councils and we are utilising services provided by both sectors under existing contracts and daily business and or via some form of funding process and we expect it to deliver better understanding of how best to support neurodiverse CYP in their school settings.</p>

RAG	Definition
	Savings/cost avoidance and/or workstream(s) complete
	Savings/cost avoidance and/or workstream(s) remains on target
	Savings/cost avoidance and/or workstream(s) are currently off target, with plans to mitigate
	Savings/cost avoidance and/or workstream(s) are off target

SAFETY VALVE PROGRAMME RISK REGISTER

Risk	Assurance Level	Mitigation	Progress Update from this Quarter <i>Please include/refer to relevant data and evidence to support your rating and explain the scale of any impacts</i>
Risk 1: Risk 1: Early Years forecast continues to be outside anticipated numbers	Update 1 (May)	<p>Deep dive draft reports have been presented, including options appraisals to avoid greater numbers of children entering special schools in KS1. Work continues the Early Years review to ensure those options taken forward are costed and meet Safety Valve targets</p> <p>Consultation on proposals for future SEND support in early years has closed and final recommendation for the future service are due to be presented in July.</p>	<p>Final recommendations were presented in July to Cabinet Committee and the key decision has been decision with the call-in period due to expire imminently. An implementation group is due to be established with the expectation most of the recommendations will be in place before Sept 25. KCC has also made contact with the DfE EY link - due to holidays meetings will be taking place in September. In the meantime, we are continuing to review our processes for EHCPs needs assessments are aligning these to our revised process for all age groups.</p>
	R		
	Update 2 (August)		
	R		
	Update 3 (November)		
RAG			
Risk 2: Data quality within SEND service is not where we need it to be despite work to change this much is dependent upon culture change and an understanding of the criticality of this so will take time to embed and, in the meantime, we are working with inaccurate data.	Update 1 (May)	<p>Shared presentation with the Council's Management Information Unit delivered to Strategic Board to highlight this issue and bi-monthly updates on this risk also shared. Risk owner allocated to Assistant Director SEND Process. The Quality Assurance team, led by an Assistant Director, is working to improve the quality of data, and identify mitigation actions to be taken. The Assistant Director, Operations and her team checking highlighted as missing from case study work. Guidance created for what is to be recorded where and expectations on the input and use into the "Synergy" education management system. The Assistant Director (Quality Assurance) has become a standing member of the Synergy Operations Group. Set Phase Transfer as an initial model to show the benefits and identifying principles for other</p>	<p>Substantial progress in sharing findings and highlighting the importance of data quality has happened but this has not always been fully reflected within individual teams' subsequent work. Prioritisation of data corrections is underway.</p>
	R		
	Update 2 (August)		
	R		
	Update 3 (November)		
RAG			

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Risk	Assurance Level	Mitigation	Progress Update from this Quarter <i>Please include/refer to relevant data and evidence to support your rating and explain the scale of any impacts</i>
		<p>aspects of the service.</p> <p>Implementation of monthly data quality meetings with area managers to drive ownership amongst teams and correcting these errors, initially will be bi-weekly to drive change. Project plan has completed to develop 4 workstreams to improve the quality of data across Synergy, the evaluation of this work and recommendations for future improvements have been shared at both programme level and service level with managers. Data quality project is in development and will complement the county-wide work being led by QA (Quality Assurance) team</p>	
<p>Risk 3: The impact of only being successful for only 2 of the 3 new special schools requested, via the DfE Special Schools Safety Valve Capital Programme, is forcing more placements into the independent sector at much greater expense</p>	<p>Update 1 (May)</p> <p style="text-align: center;">R</p>	<p>This is a medium-term risk as safety valve profiles assumed the school would have a phased opening from September 2025.</p>	<p>This month the impact of the delays / reduction in number of special school places being agreed has been shown in the overall Accumulated DSG deficit profile. Whilst further Future mitigations are being considered in line with the review of the capital strategy for High Needs, including viable alternative actions to expand existing special schools or agree specialist satellite provision housed in a mainstream school to help mitigate the risk. This risk alongside having to identifying other savings to mitigate against pressures arising from both higher inflation (risk 6) and demands from mainstream is making it less likely suitable alternative actions can be identified within timescales.</p>
	<p>Update 2 (August)</p> <p style="text-align: center;">R</p>		
	<p>Update 3 (November)</p> <p style="text-align: center;">RAG</p>		
<p>Risk 4: Risk Other Local Authorities will no</p>	<p>Update 1 (May)</p> <p style="text-align: center;">R</p>	<p>The impact of DfE guidance on the treatment of looked after children is outside the control</p>	<p>Kent is reviewing its processes in relation to</p>

SAFETY VALVE PROGRAMME RISK REGISTER

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longer accept or continue to fund their looked after children placed in Kent. Kent is a significant net importer of Looked After Children.	Update 2 (August)	of KCC, nor is it possible for KCC to “stop” other local authorities placing children in Kent. Concerned other local authorities could see this as an “easy” saving and so no longer agreeing to fund. Kent will continue to respond to any consultations on this matter and keep up to date with guidance issued. KCC may choose to escalate to DfE if other local authorities do not consider KCC’s local context (of being a significant importer of looked after children). Our latest analysis showed we had over 500 EHCPs relating to Other Local Authority Looked After Children spread over 80 local authorities.	other local authorities in line with the DfE guidance. The most recent DfE guidance (2024-25 High Needs Operational Guidance) also more explicitly references our situation where we have disproportionate amount of LAC placed in our authority by OLAs (Other Local Authorities) and so indicates our current practice of recharging OLAs for education costs could be considered an appropriate action. We continue to "push back" other LAs that suggest we must pick up these costs. Legal advice is also being sought.
	R		
	Update 3 (November)		
	RAG •		
Risk 5: Financial instability of state-funded special schools	Update 1 (May)	KCC representatives across Schools Finance, SEN, School Improvement and Area Education Officers have been working with special schools with forecast deficit reserves within the next three years, we have one school with a deficit of £400k (brought down from an initial forecast of £800k) in March 2024. A further 2 schools indicated deficits by year 3, work continues with all schools to avoid deficit reserves, however most Maintained Special School 3-year plans are still indicating most will have exhausted the majority of their reserves within three years, and this has largely been as a result of funding increases (minimum 3.4% for 23-24, and locally agreed further increase of 2% in 24-25) being insufficient to cover increases in support staff wages (which costs rose closer to inflation of 10% in 23-24 and are likely to see similar levels	A funding review is being undertaken as part of the wider special schools' review, but it will not be implemented until April 2025 at the earliest. There is unlikely to be significant extra funding to support higher increases, therefore the focus will be ensuring a more transparent and sustainable funding model that enables schools to plan more readily. In the meantime, shorter-term options are being considered within the context of safety valve financial expectations. KCC Schools Finance Services continues to work with special schools most at risk of falling into deficit to identify possible areas of efficiency.
	A		
	Update 2 (August)		
	A		
	Update 3 (November)		
RAG			

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		in 24-25) - this has impacted special schools to a greater extent than mainstream schools due to the higher use of support staff.	
Risk 6: Grant funding not adjusted to reflect inflation forecasts <ul style="list-style-type: none"> • 	Update 1 (May)	The Chancellor's announcement to increase the National Living Wage rate by just under 10% for 24-25, means our ability to achieve our original intention to hold prices at 1% over the medium term is proving challenging. There is currently no indication from Government this will be addressed through increases in grant funding. In addition, to 23-24 teachers' pay increase where funding was provided for special schools but not SRPs or other centrally retained teacher services. A similar situation has arisen with the pension increase which has not been sufficiently funded for centrally funded staff leading to a pressure on teaching staff funded through the high needs block (STLS) (or extra funding for SRPs) which will either mean further cuts to the service or additional pressure. It is therefore likely a similar issue will arise with the recently announced teachers' pay increase. This continual lack of recognition of the inflationary pressure on services commissioned from the high needs block is adding further unfunded pressure to the HNB. Both directly and indirectly.	Short-term measures around reviewing the valve for money of existing independent schools may provide some compensating savings but with state-funded school budgets only expected to increase by 1.4% the pressure on schools to absorb these extra costs is unlikely and risks more schools falling into deficit. Kent primary & secondary schools rate of funding is still in the bottom quartile when compared to Other Local Authorities. There is a risk schools could refuse to support children on financial grounds which could put at risk other parts of the plan.
	R		
	Update 2 (August)		
	R		
	Update 3 (November)		
	RAG		
Risk 7: Changes in School Funding Forum Membership	Update 1 (May)	We have seen a recent change in the membership of the Schools Funding Forum, with several long-standing members stepping down, including our Chair who has been in place for over 12 years. The Schools Funding Forum are a key stakeholder.	In the meantime, to try and limit this period of instability, we are planning to revisit the work in setting out the reasons for why Kent is in the Safety Valve Programme to members and reinforcing the role in Forum members as an
	A		
	Update 2 (August)		
	A		
	Update 3 (November)		
	RAG		

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		<p>We have worked hard to maintain a good working relationship with our Schools Forum and value their support and challenge in managing the Dedicated Schools Grant and actions required to meet the High Needs Deficit Safety Valve plan. A change in members will inevitably lead to a period of uncertainty, at a time when we are planning, over the next 12 months, to be implementing some of biggest funding changes with schools across mainstream and special sector, along with the gaining support for the transfer each year. We will not know who our new Chair will be until September.</p>	<p>advocate for their schools and the information shared at the Forum. This is planned for the start of the Autumn Term.</p>
<p>Risk 8</p> <p>External support from DfE and central government is not forthcoming to underpin KCC decisions such as tribunals and challenge from Special Schools</p>	<p>Update 2 (August)</p> <p style="text-align: center;">R</p> <p>Update 3 (November)</p> <p style="text-align: center;">RAG</p>	<p>We can make robust decisions, but these can be overturned or appear to be unsupported by either DfE decisions or other central government decisions.</p> <p>Recent publications have highlighted the challenges local authorities are facing in trying to turn the "oil tanker". A common example is the effective use of resources test cited in tribunals which are taken in isolation and based on individual children rather than recognising the overall funding envelope KCC must operate within. A recent tribunal decision considered £20k difference in cost, not to be significant enough reason but these cumulatively are a risk to our ability to meet SV. There is little we can do in these instances to mitigate external decisions. Ensuring all Trusts are actively demonstrating and supporting "inclusive in mainstream schools" is essential in achieving a financially sustainable future SEN system. This must also</p>	<p>We are reviewing our data on tribunals to maintain a more database of the impact of tribunal decision-making. This will also be used to support/identify other possible actions that may be taken to avoid the tribunal in future (if applicable). Continue to work with all schools and challenge where they are not adhering to government policy. Awaiting further government policy and implementation plan for SEN reforms.</p>

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		extend to the approach taken by Trusts with special schools.	