

Safety Valve Monitoring template: Kent County Council

Date Submitted	29 May 2024	
Signed off by Acting S151 Officer	John Betts	
Signed off by Director of Children's Services	Sarah Hammond	

Safety Valve: Summary of Kent's progress as at Quarter 1 2024/25

To include:

a) whether LA is on track to achieve a £0 DSG deficit at the end of its Safety Valve agreement? and

b) whether LA is on track to achieve its Safety Valve agreement in the current year?

Kent County Council is committed to reducing its High Needs DSG deficit to the levels set out in the table below. Kent plans to achieve this by taking service measures which will deliver better value from the available resources. These measures and current progress with their implementation, are described below.

In line with our report in December 2023, we are still forecasting to be on track to eliminate the cumulative deficit by 2027-28. We are forecasting not to be on track for the Safety Valve in-year target for the next 2 years, but this is covered by the substantive and accelerated progress made in 2022-23 & 2023-24. However, the RAG rating for future years 2026-27 and 2027-28 has been upgraded to amber to recognise the risks, of whether sufficient mitigating actions can be put into place to offset the impact of higher levels of inflation experienced during 2023-24 and 2024-25 (than initially predicted) on the future years' forecasts. In December, we reported how the SEN service had developed a further short-term action plan (focused on accelerating the process of increased management and sector leadership on placement decisions a valve for money review of our independent placements) in response to the possibility of missing the target in-year deficit for 23-24 of £40.1m. We anticipate the positive financial impact of these actions to be predominately reflected during 2024-25, however, we will not know the full extent of this until the end of the financial year.

Year	Forecast accumulated DSG Deficit Profile at year end £m (Per SV Agreement Letter October 22)	Forecast accumulated DSG Deficit Profile at year end £M (Per Update 3)	Variance	RAG
2022-23	129.7	117.9	-12.0	
2023-24	156.1	142.3	-13.8	

2024-25	170.5	168.6	-1.9	
2025-26	174.2	174.2	0.0	
2026-27	163.1	163.1	0.0	
2027-28	140.0	140.0	0.0	

The overall accumulated DSG deficit position for 2023-24 is a £13.8m total improved position compared to the forecast position in the Safety Valve agreement. This includes the improved position of the 2022-23 carry forward of £12m detailed in the earlier reports. The in-year DSG position for 2023-24 has improved since the December report and is £1.8m lower than originally forecast in the Safety Valve profile.

The Safety Valve profile estimated the in-year High Needs deficit to be around +£40.9m (before additional contributions from both the DfE and KCC) and the outturn position for the Council was a variance of approximately +£0.9m compared to the original profile. This equates to a 0.2% variance against the original safety valve spend profile.

The position on both the Early Years (EYB) and Schools Blocks (SB) also saw improvements to that reported in the December report, with in-year underspends of £1.4m and £1.3m respectively. This now results in an accumulated deficit on the DSG as at 31st March 2024 of £142.3m (compared to an initial estimate in the Safety Valve of £156.1m).

Our main areas of challenge have been highlighted in previous reports and have remained unchanged. The financial contingency we had built in for 2023-24 has not been sufficient to fund the higher average costs of mainstream in top-up, specialist resource provisions and independent sector placements, along with higher numbers of mainstream top-up applications and an increase in requests for exceptional pupil need (particularly in our special schools).

With possible early indicators of financial risks resulting predominantly from higher average costs of placements and support, we are continuing to assume the surplus reported in 22-23 will be fully required in future years and will not be used to reduce the total deficit over the longer term. Therefore, the accumulated DSG deficit as of March 2028 remains unchanged at £140m. We are finalising a revised long-term forecast and sufficiency plan, in light of the outturn, latest activity numbers and the outcomes of our major reviews on Early Years, Mainstream Localities Model, SRPs and Special Schools. This will be in conjunction with a wider piece of work on identifying and tracking benefit realisation of certain projects from both the Safety Valve and Accelerated Progress Plan programmes. This will help to inform whether there are other remedial actions, in addition, to those already identified in the short-term action plan, that can be implemented. Possible areas of action include tribunals, annual reviews processes, refreshing the communication strategy and implementing further improvements to the phase transfer processes.

For 2024-25, we have been successful in gaining support both from schools and the Schools Forum, along with Secretary of State to transfer 1.2% from the schools to the high needs block to support the funding of SEN services to mainstream schools

and to help avoid possible significant cuts in funding whilst transitioning to the new models of support. The consultation with schools and the Schools Forum also set out the expectation that we would need to continue to do this each year until the deficit is cleared. We also gained support from the Early years sector and the Schools Forum in our proposals to fund some of the SEN Inclusion Fund from the Early Years Block rather than the High Needs Block in future, along with increasing the central block to ensure more of the SEN Support Services for Early Years is funded from the EYB rather than HNB, in line with DfE rules whilst still trying to the limit the impact on Early Years providers as much as possible.

Our latest EHCP data is set out below including comparators to the Safety Valve initial estimates. This indicates we were either comparable or ahead of our Safety Valve estimate for 2024. The success of the backlog team in support the completion of outstanding annual reviews in the oldest age group can be seen from the data where the number of EHCPs for young people aged 20+ was nearly 800 less than safety valve initial predictions (with no complaints). In terms of the number of EHCPs for children aged less than 15, there were concerns this position may have been partly due to an increase in open cases awaiting an outcome (either at assessment or decision) where in January 2024 there were around 2,200 open cases (in comparison to 1,407 the same time previous year). This was attributed to a reduction in performance for completing EHCP needs assessments when the SEN team were restructured, and new processes embedded. In addition, we continued to see an increase in referrals. By the end of April, the number of outstanding assessments has now reduced to 1,500 (and continues to fall) whilst the numbers of EHCP still remains within the forecast range. Further information is given within the progress update below (under Agreement 3).

Age of Child with EHCP	<i>Safety Valve Jan 24 Estimated no of ECHPs</i>	Actual Jan 24 No of ECHPs	Current 30 Apr 24* No of ECHPs	<i>Safety Valve Jan 25 Estimated no of ECHPs</i>
Under 5s	488	673	438	497
Age 5 to 10	5,747	5,798	5,848	5,698
Age 11 to 15	7,590	7,445	7,710	8,136
Age 16 to 19	4,123	4,266	4,553	4,126
Age 20 to 25	2,080	1,224	1,309	1,687
Total number of ECHPs	20,027	19,406	19,858	20,143

*Current age of child not calculated using SEN2 methodology

The Report in Detail

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;			
Assurance Level	Update 1 (May)	Update 2 (September)	Update 3 (December)
	Green		
<p>The percentage of Children and Young People (CYP) with an EHCP in specialist provision has decreased by 3.9% in Year R-6 from 41.9% October 2023 to 37.6% March 2024 and decreased slightly in Year 7-11 from 56.7% to 55.5% during the same five months. Year 12-14 has shown a slight increase from 39.2% to 39.5%. Work continues to reduce these numbers and we do see a month on month increase in the numbers of CYP R-Yr13 educated in mainstream settings which now sits at 41.7% a 1.4% increase in the last year.</p> <p>The Countywide Approach to Inclusive Education, KCC's key strategy for SEN Inclusion in mainstream schools, which received Cabinet approval in June 2023, is now widely used to inform other workstreams, particularly the work on thresholds, SEN strategy and education strategy. There were 832 responses to the public consultation which closed on 24th January 2024, including comments from parents, schools, and other educational professionals. The consultation sets out KCC's plan to establish a Locality Model, which will help drive countywide improvements to mainstream inclusion and education, for children and young people with SEN who are of statutory school age, The Locality Model will allow SEN support and services to be accessed and delivered in a new way which makes better use of local education and SEN expertise which is discussed further in Agreement 8.</p> <p>The Enquiries Hubs implementation work continues as business as usual (BAU) and further analysis is underway to define the impact upon cost avoidance and potential reduction in complaints, particularly those related to poor communication, which has already seen some impact.</p> <p>Specialist Teaching and Learning Service (STLS) / Lift (Local Inclusion Forum Teams) Review work progresses at pace with four workshops during March and April 2024 with mainstream schools and early years settings, to inform the options appraisal regarding the future of the service beyond the end of the current Service Level Agreement on 31 August 2025. A survey to understand the</p>			

impact of the service has been distributed and as of 16 April 2024, approximately 368 responses have been received and a key decision in relation to the future of the service post August 2025 will be determined following Cabinet meeting in July.

The Inclusion Leadership programme has achieved only about 50% of the target level of engagement and progress in capturing case studies from participating schools has been slow, despite some schools having made substantial progress in achieving their intended outcomes. The underlying issues are Headteacher time and hesitancy over sharing 'good practice.' Mitigating actions are in hand to improve capturing more quality case studies by the end of the contract. The evaluation surveys provide valuable insights into the impact of the programme with partnerships/schools reporting positive changes in practice and culture in partnership, leadership, teachers, and pupils' levels. The contract has been managed through ongoing Performance Management of specific KPIs, including qualitative feedback from schools following a 90-day check-in to capture insights into the steps the school has taken and what progress has been made, through case studies from participating schools.

The Mainstream Schools core training offer activity has been merged with the school resource directory and is now run as BAU. Although the initial expectation was that training for schools would be commissioned to fill identified gaps, since March 2023 there has been a shift in approach from the local authority to move away from the reliance on commissioned training to build confidence within schools and towards peer-to-peer support system between schools. These aspirations are outlined in the Localities Model and the upcoming Education and SEND Strategies. The move away from commissioning training for schools is also based on low take up from schools of previously commissioned training and capacity within schools to commit to training programmes that involve releasing members of staff (especially SENCOs or members of senior leadership teams) to participate in training programmes. These training programmes can evidence the benefits in relation to how the training has been received by those attending. but it is more challenging to demonstrate how this training is being implemented in schools to have a direct impact on children and young people and the monetary impact of this increased knowledge and understanding.

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

Assurance Level	Update 1 (May)	Update 2 (September)	Update 3 (December)
Amber			

The overall number of EHCPs at EY/KS1 has been steadily increasing each month to 2,563 March 2024 from 2,299 March 2023, and to meet our targets, we need to reverse this and further reduce overall numbers and ensure that the work emanating from the Early Years Review is targeting placements into mainstream settings. The number of EY/KS1 children in Special/Independent settings is 825 which is lower than last year at 842, so some positive early indications, but much more work needs to be undertaken in this area. A positive point to note is that from the end of May 2024, the annual review backlog team will have no remaining overdue cases for the Early Years/Key Stage 1 cohort and this work will be managed in its entirety by the case work teams.

Following Cabinet Committee discussion on 16 January 2024, a public consultation on a revised model of universal, targeted and specialist support and a new application process for SENIF funding went live on 11 March 2024. 237 responses have been received and the consultation demonstrated strong agreement for all recommendations, other than the specialist intervention nurseries where the two areas of Tonbridge Wells and Canterbury were less in agreement for the proposals. Three workshops have taken place to date, two for providers and one for parents. Although numbers were low, the discussion was fruitful and informative. The consultation closed on 5 May 2024. Workshops for parents and early years providers were set up to enable groups to engage in the consultation process. During week 11 - 18 March 2024 the engagement site received 1,410 visits, the documents were downloaded 535 times and 61 responses were submitted.

We have now launched the Dingley's Promise Inclusion Project. This initiative marks a significant step towards creating a more inclusive educational environment for children with special educational needs and disabilities with the focus being on EYFs settings. The implementation of this project is through a multi-faceted approach, the first phase of this 3-year project has been to share

the training to a variety of sectors including; Early Years providers, Schools, Social care colleagues, Family Hub Staff, Home Start Volunteers, Library colleagues and Colleges for students studying childcare. We have also sent promotional materials through all our communication channels and receive a monthly update of the uptake of the training offer, April reporting as 30 learners, we hope to see a steady increase each month.

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

Assurance Level	Update 1 (May)	Update 2 (September)	Update 3 (December)
	Green		

There has been a drop of 180 in the number of requests for assessment during the last year with 1,704 requests currently being processed down from 1,884 in March 2023.

Changes in the panels and a more robust process to agree to assess has resulted in a significant drop in Yes to assess decisions down from 63.1% March 2023 to 37.3% March 2024.

The number of decline to issue has also increased from 12.1% to 21.8% over the same period demonstrating positive impact from the changes implemented as a result of the Continuous Improvement teams process work project and a focus from teams on more accurate applications of these processes. It is recognised that this may impact in more appeals and tribunal requests and so the new project initiated in February looked to create a process to support schools and parents where a decline to issue has been made. This project has created process maps for SEN Assessment officers and SEN Inclusion Advisors. Feedback from the queries raised by SENCOs have been answered and they attended Q&A sessions to understand how to use the tracking spreadsheet and Microsoft form which was created for the recording of the meeting with school and parent.

9,402 Annual Reviews were overdue in March 2024 which is a significant reduction of 2,734 during the year. The Annual Review Backlog team have continued to work at pace to review and cease as appropriate and have also taken on responsibility for all 3720 post 19 cases following a review of year groups 16-20, ceasing cases where identified as appropriate.

The transformation work as part of the APP has a focus on assessments which has seen an increase in the overall number of EHCPs in Kent due to additional

staff working to clear the backlog of assessments. We are 91 higher than our January 2025 forecast. It is anticipated that once this backlog of assessments will be cleared by July, and we will then start to see a reduction in numbers to bring us closer to our target.

Annual Review Integration with ICS pilot that seeks to integrate the Annual Review with one of the three Personal Education Plan (PEP) meetings held each academic year, presented progress and a potential staggered roll out at BAU in September 2024. An update to operational guidance will be trialled as part of the ongoing pilot to arrange the next AR date so that there is maximum time to allow for the services to coordinate the meeting. Positive parent and carer feedback has continued to be received from both streams of the pilot.

The Continuous Improvement (CI) team (an internal team within KCC (Kent County Council) to improve performance & processes) have completed their final evaluation of process improvement work and closed the project, all recommendations have been shared with the SEN leadership team and projections show a gradual reduction from 2,228 to 2,143 New EHCPs between 2024 and 2029. Other notable points are that the decision to Issue data demonstrates consistency in terms of “Yes to issue.” Staff feedback suggests that when the new processes and procedures are in use, they do feel that it supports them to make accurate and consistent decisions. Overall, progress is being made in key areas in terms of fewer Yes to Assess decisions, fewer plans being issued, and more consistency and accuracy applied to the decision-making process. There is still some progress to be made in terms of timeliness and efficiency, but this needs to be balanced carefully with consistent and accurate decision making.

The Management Information team continue to send weekly data to teams in a targeted to help focus on the priority work tasks/cases for the week ahead whilst these processes are being established and the culture embedded in the service. Additional work has included implementation of a process that sends prompts each term to settings about upcoming annual reviews. This will start as a pilot for mainstream settings. And includes guidance for caseworkers. This should streamline the AR process and ensure fewer fall outside the 12-month deadline and into backlog.

SEND handbook work is completed and shared by KCC and uploaded to relevant sites.

Agreement Condition #4

Implement models of reintegration of children from special/independent schools to mainstream where needs have been met;

Assurance Level	Update 1	Update 2 (September)	Update 3 (December)

	(May)		
	Red		

This area remains red, as despite the project work progressing, we have not seen a financial impact and desire to implement any recommendations that have been identified at an early stage within projects. We have not yet finalised a Management Information report to break down the number of CYP moving into and out of Specialist/Independent settings and mainstream at phase transfer and Annual Review stages which has delayed the ability to influence future project work and monitor areas of concern as easily as we would hope.

Transitions to mainstream pathways work has not had the success we need to date. Despite positive conversations early on, when it has come to the formal stage of buy-in to the project there has been no positive responses from any of the pilot schools. One school has been more open to looking at improving pathways for their current pupils at post-16 phase transfer, for example moving straight to FE college rather than staying on roll of the special school. In light of special schools' uncertainty as a result of the special schools' review and caution around their current cohort of pupils, there is greater chance of buy-in if this project focuses on increasing post-16 uptake of apprenticeships, so it is being redefined to focus upon this area.

Independent Mainstream Placements project milestones have not yet been achieved and end dates for these pushed back, discussions are underway with senior managers to agree that notification letters can go out to all current pupils' parents and settings where parent originally placed in an independent setting to inform that that the local authority will not continue to pay discretionary learning support costs.

Work to refine the QA process for our independent schools has made substantial progress and a steering committee has been formed to ensure alignment of all project work and BAU in this sector and support more robust scrutiny of the value for money we are getting from these placements, particularly those outside the DPS.

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

Assurance Level	Update 1 (May)	Update 2 (September)	Update 3 (December)
	Amber		

Disappointingly we still see an increase in the percentage of CYP post 16 that are in Specialist/Independent placements from 35.3% in October 2023 to 37.1% in March 2024 and a reduction in those attending mainstream and FE placements from 43% to 41% within the same period. We are continuing to cease Annual Reviews in both 16-18 and 19-25 age groups, but this has reduced as the backlog of overdue ones is being cleared.

Pathways for all, Local Collaborative Planning Area (LCPA) groups have been set up and they all have an action plan, RIG (Recommendation Implementation Groups) action plans are being looked at in relation to LCPA action plans and the relationships between both being drawn up for agreement. The project is on track but evidence of impact on CYP and targets will take some time to materialise.

Preparation for Adulthood work continues to analyse data to particularly looking at residential placements with a focus on understanding the trajectory particularly where a request is made at phase transfer. Initial data shows that considerable proportion of these are agreed via tribunal for post-19 (17/25 explored so far). In 14 cases we had a supportive provision who felt they could meet need, which indicates that further exploration around those tribunal decisions to explore where they may be gaps in local provision. INMSS market engagement event held in February with our DPS schools shared expectations around reducing our use of independent placements post-16 particularly and shared a model of good practice with them (Grange Park and Mid-Kent College model). Meetings have been positive with Mid-Kent College who are also keen to set up a provision for PMLD learners, and potentially also for other cohorts such as a pre support-internship model, Mid-Kent shared proposals and discussion held around potential funding and we will continue to work with them to ensure we reduce our reliance on the independent settings for this age group and further data analysis has been completed in relation to PMLD and SLD learners, showing significant gaps in local provision.

Supported employment offer for mainstream schools interim check in with

provider suggests that the engagement with schools is still slow and there has been only one additional school signed up to the programme. They are still able to sign up schools up until term 5 with term 6 used for information sharing or answering queries to support schools and they are going to also consider a series of webinars and target communication to schools who have had no engagement so they can learn about the resources that schools who have not signed up to access at the end of the programme. Schools who have signed up to the programme are actively participating by completing essential modules.

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;

Assurance Level	Update 1 (May)	Update 2 (September)	Update 3 (December)
	Green		

The Transition Charter was developed in consultation with the education sector representatives as well as Kent PACT and was refreshed in October 2023 and is published on the KELSI website. The practitioners recruited from the education sector during have worked with settings to review documents, support engagement, and develop a Transition Framework explaining the detailed plan for each transition phase from EY to post 16. Training on the Transitions Framework and the Transition Charter was rolled out in September 2023 to the officer group and to schools including SENCOs and school leaders. The framework seeks to facilitate the phase transfer processes and support good quality transitions for children who have SEN.

KCC was able to meet the Phase Transfer deadline for the majority of CYP.

On 23rd April for post 16, 961 placements offered (72%) and 374 consultations ongoing (28%)

70% of offers were in mainstream or Post 16/FE setting and 30% were offered in Maintained Special/Independent.

Of those yet to be placed 41% have a primary need of ASD and 35% SEMH
 If we look at parental preference (199) and where not available current placement (173) of these CYP our estimate is that 111 will be in Mainstream, 58 FE, 97 Independent and 73 Maintained Special with the remaining in other/unknown. When mapping this to our Safety Valve targets it demonstrates that if we reach these outcomes, we will have achieved our targets of CYP being

placed in Special/Independent in this age group for phase transfer by approximately 100 pupils.

By 26th April for year 6/7, 1,115 children have been offered a place, 3 have left Kent and 126 consultations are ongoing. Of those yet to be placed 50% have a primary need of ASD, 20% SCLN and 14% SEMH.

If we look at parental preference and where not available current placement of these CYP, our estimate is that 27 will be in Mainstream, 41 Independent and 54 Maintained Special with the remaining in other/unknown. Further analysis is underway to track against our targets.

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

Assurance Level	Update 1 (May)	Update 2 (September)	Update 3 (December)
	Amber		

There are currently 906 CYP with no place in Kent. We have 5,959 Commissioned places each year for Special schools - Pre and Post 16 and 1430 in SPIs. In December 2023 we were 103.56% capacity in Special schools and 98.32% capacity in SPIs demonstrating our need to ensure CYP placed in these settings are those that cannot be supported within mainstream settings and that we are using them efficiently and effectively.

The Joint funded placement review project phase has completed, and we are transitioning to business as usual. There have been 239 referrals since the new JFO process went live in October 2022 and it is now much simpler for practitioners to navigate the process. KCC have the Continuing Care Lead (CCL) professional supporting practitioners and attending panels to simplify the agreement process which has reduced the numbers of days taken to reach an agreement by 29%. There is a new process map for SEND Staff and training has been delivered to all managers and will be refreshed for staff too. The SEND service now needs to embed this as business as usual considering joint funding opportunities as appropriate, there was a meeting with senior managers to iron out issues and ensure support for SEN colleagues to identify and progress successful applications. There is some intensive work with 18-25 cohort to ensure joint funding and full continuing health care opportunities are maximised working with Strengthening Independence Service and Adult Social Care, to review all 17.5 + young adults every six weeks. The CCL post has been made

permanent as it has proven highly successful. There are still a few issues with equity of funding on different NHS pathways, but this is being addressed with the NHS. We have drafted a Joint Funding Protocol and will begin to socialise this with the NHS as we need a written policy/protocol to ensure joint funding decisions are fair equitable and transparent.

SEN therapies EHCP Section F integrated therapy review process has run over the estimated end date March 2024 as the short term and cumulative co-design work triggered through the special school review are fusing into everyday practice and business for commissioning and SEND service joint working, this includes analysis of a range of therapy services to explore a wider range of multimedia areas of digitally/resourced information.

NMISS Dynamic Purchasing System, Review of the DPS has been completed. Work to implement the recommendations is progressing. initial meeting NMISS Steering Group held on 12 April 2024. Process of fee uplifts for 2024 / 25 is being planned. Project is closed and embedded as business as usual.

KCC Inclusion Manual, Project is 100% complete. Comms to be shared soon. Project to now continue as BAU

SRP Review phase two is complete and we are now in the implementation phase. Work is underway to identify the first tranche of new commissioning and costed projects which will be ready for consideration in the summer term. This work is contributing to developing a much clearer view of the education landscape in Kent and this will be reported to CYPE Cabinet Committee in May, alongside the Special Schools Review. To date we have seen greater consistency and transparency in expectations of SRPs (Specialist Resource Provision) enabling them to offer well planned and high-quality education which meet the needs of more children who in turn will not be placed in either Special or Independent placements.

Special school review cabinet proposal paper was prepared and submitted, Cabinet are being asked to note the direction of travel and plan for a public consultation on the proposed changes and implementation plan. The public consultation is due to start 3rd June and key changes are to be shared with special school heads on during May before the Cabinet papers go public. Workshops with mainstream, SRP and special school heads have been arranged during May and June to work through the implications of entire system change. This is an important next step, in moving away from working with the different sectors in isolation. The provision of legal advice regarding the proposed changes and the associated public consultation may result in a one- or two-week delay to the start of the consultation, this is a risk, given the need to hold the public consultation during school term time to allow sufficient time to analyse the outcome of the public consultation.

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			
Assurance Level	Update 1 (May)	Update 2 (September)	Update 3 (December)
	Green		
<p>The locality-based resources model, where schools work together in defined clusters and have decision making influence over a pre-determined sum of money from the High Needs Block to support the inclusion of more children in mainstream schools is developing at pace. The key indicator to determine success will be the number of children with EHCPs educated in mainstream settings. Currently this stands at 34%, the national average is 45% Under the localities model, the concepts of 'predictable' and 'exceptional' SEN would be adopted, and this model would have most impact on children and young people with predictable needs who are or will be attending mainstream school enabling more inclusivity and less reliance on EHCPs. The impact of this work to date has been to consolidate a shared understanding and consistency of expectations across education settings for parents/carers and professionals and develop understanding of the benefits of a consistent framework to guide decision-making in relation to placement, funding, and statutory assessment requests. We know from the evidence base underpinning the localities model that greater transparency and accountability, as well as peer to peer challenge and support which the model enables, will result in more consistent practice, and build trust between KCC, schools and parents.</p>			

Agreement 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.			
Assurance Level	Update 1 (May)	Update 2 (September)	Update 3 (December)
	Amber		
<p>The Balanced System Commissioning Framework (SLCN (Speech, Language and Communication Needs)), activities have focused on a stock take to evaluate and filtrate commissioning and joint partnership participation in related</p>			

conversations cross organizationally which are likely to influence and impact on the SLCN commissioning transformation because it is a component part of the health and educational system mechanics.

The next phase of drilling into details of the scope of services and their offers will support any further cost/investment requirements for the educational point of view thus maintain the systems already in place to upskill schools and settings via The Balanced System tools and resources. The parent survey has been shared via schools, with a particular push in Ashford, Dover/Deal and Folkestone/Hythe (EKHUFT areas) with intention of providing early evidence of impact from parent point of view. All 4 districts are now offering Talking Walk-ins and the overall implementation is working well, and although demand is high, it is being managed, and roll out of targeted interventions.

SEN therapies qualified provider list project is embedded as business as usual and performance monitoring meetings have been scheduled with key providers.

The Kent SEND Sufficiency Plan 2023 has now been published alongside the Kent Commissioning Plan 2024-28 and work continues with planning spaces for next year.

The whole school nurture service, the programme has achieved 99% of target of 300 mainstream school's enrolment on the programme. 18 schools have voluntarily continued to gain the whole school Nurturing accreditation, with more in the pipeline, which will be beyond the lifetime of the programme. This programme is now complete.

The Safety Valve programme has SEND advisors with particular specialisms; an early years SEND specialist and an inclusion specialist. Do you need additional support from either of our specialist SEND advisers to support the effective delivery of your Safety Valve plan? If yes, please specify which area you would like extra support in and give a brief overview of how this support would be beneficial.

We have found reducing the demand for EHCPs challenging in the Early Years settings with 25% of our new requests to assess in Q1 2024 are Nursery 2. We also still have higher than national average numbers of children entering specialist settings. The work we have undertaken as part of our Early Years review has identified some opportunities to improve this but any advice and ability to work with an Early Years advisor to define further opportunities would be most welcome, particularly any actions that will both avoid cost and reduce numbers.

RISK REGISTER

Risk 1: Early Years forecast continues to be outside anticipated numbers			
	Assurance Level		
	Update 1 (May)	Update 2 (September)	Update 3 (December)
	Amber		
<p>Mitigation:</p> <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>Progress update:</p> <p>Final recommendations are due to be presented in July, in the meantime we are further reviewing our processes for EHCPs needs assessments and are going to align these to our revised process for all age groups.</p>			
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.			
	Assurance Level		
	Update 1 (May/June)	Update 2 (September)	Update 3 (December)
	Red		
<p>Mitigation:</p> <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</p>			

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 aspects of the service. 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.

Progress update:

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.

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

	Assurance Level		
	Update 1 (May/June)	Update 2 (September)	Update 3 (December)
	Amber		

Mitigation:

This is a medium-term risk as safety valve profiles assumed the school would have a phased opening from September 2025.

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 in turn will be informed by the sufficiency plans and outcome of the mainstream/Specialist provision, special school review and the recently confirmed high needs allocation.

Risk 4: Risk Other Local Authorities will no longer accept or continue to fund their looked after children placed in Kent. Kent is a significant net importer of Looked After Children.

Risk	Assurance Level
------	-----------------

	Update 1 (May/June)	Update 2 (September)	Update 3 (December)
	Amber		

Mitigation:

The impact of DfE guidance on the treatment of looked after children is outside the control 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.

Kent is reviewing its processes in relation to 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 and so indicates our current practice of recharging OLAs for education costs could be considered an appropriate action.

Progress update:

This will be kept under review.

Risk 5: Financial instability of state-funded special schools

Risk	Assurance Level		
	Update 1 (May/June)	Update 2 (September)	Update 3 (December)
	Amber		

Mitigation:

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, the most significant was indicating a year 1 deficit of £800k. The aim is to understand the main drivers of these deficits and what actions could be taken within the school in first instance without the requirement for additional funding. This work has resulted in an outturn deficits reducing with only 1 school with a deficit in 2023/24 of £400k. 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%) 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 in 24-25) - this has impacted special schools to a greater extent than mainstream schools due to the higher use of support staff. We are anticipating further pressures in our special schools in 2024/25 where a similar issue is occurring with funding increases of 2% being far less than support staff increases of nearly 10% (which are unavoidable due the increase in the national living wage). 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.

Risk 6: Grant funding not adjusted to reflect inflation forecasts

	Assurance Level		
	Update 1 (May/June)	Update 2 (September)	Update 3 (December)
	Amber	N/A	N/A

Mitigation:

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. 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.

Risk 7: Changes in School Funding Forum Membership

	Assurance Level		
	Update 1 (May/June)	Update 2 (September)	Update 3 (December)
	Amber	N/A	N/A

Mitigation:

We have seen a recent change in the membership of the Schools Funding Forum, with a number of 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. 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 the 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.

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 advocate for their schools and the information shared at the Forum.