

## Safety Valve Monitoring template: Kent County Council

Date Submitted	15 December 2023	
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### Safety Valve: Summary of Kent's progress as at Quarter 3 2023/24

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.

We are still forecasting to be on track to eliminate the cumulative deficit by 2027-28. We are not on track for the Safety Valve in-year target for 2023-24 (and this is forecast to extend for the next two years too), but this is covered by the substantive and accelerated progress made in 2022-23. Kent CC is not forecasting to recover the cumulative deficit faster than originally anticipated, but remains cumulatively on track. However, in response to the in-year position, the SEN service have also developed a short-term action plan (focused on increased management and sector leadership on placement decisions a valve for money review of our independent placements) and this is outlined in Appendix A.

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
22-23	129.7	117.7	-12.0	
23-24	156.1	146.3	-9.8	
24-25	170.5	166.5	-4.0	
25-26	174.2	172.2	-2.0	
26-27	163.1	163.1	0.0	
27-28	140.0	140.0	0.0	

The overall accumulated forecast DSG deficit position for 2023-24 suggests a £9.8m 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 quarter 1 report. The in-year DSG position for 2023-24 has worsened since the quarter 2 report and is now expected to £2.2m higher 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 current estimates indicate the Council is likely to miss this target with a variance of approximately +£3.8m compared to the original profile. This equates to a 1% variance against the original safety valve spend profile.

The position on both the Early Years (EYB) and Schools Blocks (SB) is similar to that reported in the quarter 2 report, with estimated in-year underspends of £0.6m and £0.9m respectively. This now results in a forecast accumulated deficit on the DSG as at 31st March 2024 of £146.3m (compared to an initial estimate in the Safety Valve of £156.1m).

Our main areas of challenge were highlighted in our quarter 2 report 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. We are also starting to see 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 at March 2028 remains unchanged at £140m. A revised long-term forecast is being developed in conjunction with a wider piece of work on identifying and tracking benefit realisation of projects from both the Safety Valve and Accelerated Progress Plan programmes. This will help to inform whether further remedial actions may need to be implemented. An update on this will be provided in future reports however, in response to the early warning signs of the financial position, the SEN service have developed a short-term action plan predominately focused on further tightening of the EHCP process, increased management and sector leadership on placement decisions along with a specific piece of work to ensure we are getting value for money from our independent placements. This is outlined in Appendix A.

Looking ahead to 2024-25, the Safety Valve plan included an assumption a 1.2% transfer would be made 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. Both schools and the School Funding Forum have supported the proposals, and we are awaiting agreement from Secretary of State. We are also consulting with our early years sector in on our plan to fund some of the SEN Inclusion Fund from the Early Years Block to the High Needs Block. Due to the significant financial pressures being faced by the sector we are looking at how this can be done without a significant impact on the providers rates, our ability to model this has been slightly delayed whilst waiting for the announcement of the new funding rates for 2024-25. Confirmation of the status of both of these technical changes will be made in the next report.

Our latest EHCP data is included below including comparators to the Safety Valve initial estimates. This indicates we are comparable to the Safety Valve estimate for 2024. Our performance for completing EHCP needs assessments has reduced since the new SEN staffing structure was introduced during this year whilst processes are continuing to be reviewed and changes embedded. We have prioritised the children who have been waiting the longest. In addition, we have seen a recent increase in referrals. We currently have approximately 2,200 open cases (in comparison to 1,407 the same time last year). This is likely to have impacted the current number of EHCPs. Further information is given within the progress update below (under Agreement 3).

Age of Child with EHCP	<i>Safety Valve Jan 23 Estimated No of EHCPs</i>	Actual Jan 23  No of EHCPs	Current Dec 23*  No of EHCPs	<i>Safety Valve Jan 24 Estimated No of EHCPs</i>
Under 5s	531	676	434	488
Age 5 to 10	5,688	5,570	5,520	5,747
Age 11 to 15	6,951	6,802	7,372	7,590
Age 16 to 19	3,958	3,820	4,429	4,123
Age 20 to 25	2,120	2,063	1,776	2,080
Total number of EHCPs	19,228	18,931	19,513	20,027

\*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/June)	Update 2 (September)	Update 3 (December)
	Green	Amber	Amber
<p>The percentage of Children and Young People (CYP) with an EHCP in specialist provision has increased 3% in Year R-6 from August 38.9% to October 41.9% but decreased slightly in Year 7-11 from 57% to 56.5% during the same two months. Year 12-14 has shown the largest increase from 38.4% to 43%. Work continues to reduce these numbers and a bespoke SEN Service Safety Valve Action Plan (Evaluating and Re-Calibrating) has been created and written by the Director of Education &amp; SEND to implement short term actions to mitigate this trend and its additional financial implications. It is attached as Appendix A.</p> <p>The implementation of the CATIE (Countywide Approach to Inclusive Education) requires systemic and cultural change. A steering group has been established with membership and a terms of reference secured. Each meeting will focus on one key priority area to steer the activity and be clear on required impact. The CATIE is now widely used and is being used to inform other workstreams, particularly the work on thresholds, SEN strategy and education strategy. The District Dashboard has been updated and communications will go out to schools at the beginning of Term 2.</p> <p>The Enquiries Hubs implementation work continues and has been broken down into 5 stages. Stage 1 has refined processes, aiming to increase the ratio handled at first point of contact against those handed over to the Hub. This includes the development of a report that allows the team within the contact centre, to see almost live (24 hour updated) pertinent information, including caseworker, any plan and or provision recorded etc. This tool is a valuable asset to other teams such as Integrated Children's Service front door.</p>			

Stage 2 will help manage allocations and prioritise calls and inform routes into the Hub., Stage 3 will review the performance of the Hub itself. Stage 4 will improve the process for handing queries to caseworkers and seeking further information (when it is not on the database). Stage 5 will focus on improving the recording of information.

The team are working closely with a provider to dovetail the Inclusion Leadership Service programme to the new locality model, using the resources and roles created as part of the programme. It remains a challenge in the capacity of schools to engage/ continue to engage with the programme.

The Mainstream Schools core training offer activity relates to ongoing development of the School Resource Directory and will be taken forward together. A meeting was held 30 November 2023 to clarify scope of the project and agree direction of travel.

Performance monitoring for 11 special school service level agreements have taken place through the Specialist Teaching and Learning Service (STLS) in this reporting period. The discussion during these meetings included: reflection on achievements for the past term, review of performance against KPIs, key challenges and focus for next academic year (2023-24). Key themes emerging from these meetings included the impact on capacity, reduction in attendance of schools on core training courses and increase in request for bespoke training packages, focus on transition, increased use of clinics / drop-ins to manage demand through the Local Inclusion Forum Teams (LIFT), and a more joined up working arrangement. The Annual Report for STLS has been finalised to share with SLA holding schools on 1 December 2023. Three factors currently influencing the direction of travel for this service are: the Localities Model, the Early Years Review and the end of the Service Level Agreement. Engagement with the service in relation to all of these is ongoing.

## 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 (CAIIE) to support consistent mainstream offer, including leadership development programmes, peer review and core training offer

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

The overall number of EHCPs at EY/KS1 has reduced from 2,088 in October 2022 to 2,038 October 2023, however we are still placing or moving 21.2% into Specialist or Independent placements. To meet our targets, we need to further reduce overall numbers and ensure that the work emanating from the Early Years Review is targeting placements into mainstream settings.

The Senior Commissioner responsible has attended several meetings to present and seek feedback on proposed recommendations, including engagement with our early Years workforce partner (The Education People – TEP), the early years workforce in KCC, the High Needs Funding sub-group and Kent Early Years & Childcare Provider Forum. Work has continued to finalise the preferred implementation options for a new model of early years education in Kent. This has included meetings with key stakeholders to undertake more detailed options appraisals as well as profiling the financial impact of implementing the options.

All recommendations and preferred options for implementation have been finalised. These were discussed and agreed in principle at the SEND Transformation Operational Group 2 on 16 November 2023. Discussion at Directorate Management Team meeting on 22 November 2023 has identified further considerations and work to be undertaken prior to seeking formal decisions on proposals. Based on these discussions, the project end date has been extended to account for additional activity identified. This does not include any requirement for Public Consultation or implementation planning and therefore may need to be amended as the project progresses.

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/June)	Update 2 (September)	Update 3 (December)
	Green	Amber	Amber
<p>There has been a significant increase in the number of Requests for assessment with 2,081 currently underway, with many more being referred from schools (and early years settings) than previously seen (historically our highest requestors were parents). The “Yes/No” ratio decision to assess has increased since our last report to 54:46 from 50:50. At issue stage, 96.6% is current being agreed.</p> <p>11,752 Annual Reviews are overdue which is a reduction of 592 since November 2022. The Annual Review Backlog team have ceased 954 EHCPs and reviewed 3,142 overdue cases within the last year, however, the number overdue reviews has not decreased to the same extent as there have been further EHCPs becoming newly overdue within same period.</p> <p>The Children in Care (CiC) pilot that seeks to integrate the Annual Review with one of the three Personal Education Plan (PEP) meetings held each academic year, began in October, to better coordinate all reviews for an individual CYP and have a more joined up system in place and a better experience for CYP, their parents and carers and all professionals working with them. The format for running the integrated meetings were agreed, ready to be trialled. A review of the first two integrated AR/PEP meetings has taken place, lessons learnt have been recorded focussing on strengths, weaknesses, changes to make for the next PEP window, and barriers to full scale implementation. Barriers included: system visibility across the Integrated Childrens Service (ICS) and SEND; administrative duties associated with the allocation and the processing of annual Reviews; along with data quality.</p> <p>The cohort for the Strengthening Independence pilot, which aims to reintegrate children from Special/Independent into mainstream schools for a wider choice of options at KS4, has now been agreed as Children in Need (CiN) who are also in either year 9, 10 or 11 at Valence School or Foreland Fields. The total number of CYP in the cohort is 27. The pilot will formally begin from term 2. This project runs alongside the Pathways to All workstream (expanding opportunities at post 16). We are widening the scope of the plan so that we can utilise the findings from the Special School review and high needs mainstream funding review. The college conference will now take place in March 2024. This project may be</p>			

superseded by short term projects to ensure pathways are reviewed and available in good time, which will help to mitigate any risks. In addition to the two pilots agreed at the outset of the project, work is underway to set up another Children in Care (CiC) pilot within East Kent (Canterbury & Thanet), which will involve having a dedicated CiC Casework Officer. A meeting has been arranged to fully scope and plan this so it will run alongside the Virtual Schools Kent (VSK) /CiC pilot.

The Continuous Improvement (CI) team (an internal team within KCC to improve performance & processes) continues to ensure that process improvements are embedded and having the intended impact within the SEN service (providing support and ongoing training where this is not the case). The goal is to improve compliance with timescales and reduce workload related to assessments and annual reviews. Many processes have been defined and improved as a result of staff feedback such as:

- Designed, built, provided training and implemented new Phase Transfer App to support with decision making and processing of phase transfer cases.
- Explored options around identifying nearest appropriate school and started building a tool
- Designed a process and letters for sending out Annual Review prompts to settings with the aim is to have this built and implemented before January 2024.
- Designed and agreed new process with Education Psychology (EP) Service

In terms of EHCPs, options to increase capacity in writing, reviewing, amending or ceasing work continues to embed good practice. The current staffing structure now exceeds expected establishment in key assessment and case management teams. A few remaining caseload team vacancies are being actively recruited to and additional backlog teams are being finalised. A Staff Monitoring app is being used by the service to monitor ongoing capacity. Work is progressing on assessing efficacy of current teams' processes and working practices to increase output, now that staffing structures are near full. DfE have ceased to continue monitoring staff capacity in APP discussions, identifying the main requirement is now fulfilled and recruitment will now fall under business as usual.

The Management Information team has ensured weekly data has been going out to teams in a targeted way since September, to help focus on the priority work tasks/cases for the week ahead. This uses a 'push' technique, whilst these processes are being established and the culture embedded in the service. The impact is already being seen of this approach in terms of the volumes of work being completed, which has increased. A SEND newsletter will be going out every two weeks, covering issues related to data and systems when key changes are made/needed. There are some issues with the accuracy of school placement recording so a change request is being developed to ensure current and intended school placements are differentiated and updated in a timely way.

Within the Assessment team, 3 Senior Assessment officers are now in post which will alleviate some of the current workload bottleneck. A new Tribunal, Assessment and Placement manager is in post and is driving forward change



alongside the SEN Practice lead. We have seen an increase in output, reduction in backlog and slight improvement in 20-week timescales. The team is now fully staffed. The recruitment to the complaints backlog team is complete.

SEND handbook work is progressing well with final stages of feedback gathering and one final focus group to be completed. Publication will be January and the handbook will be 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 (May/June)	Update 2 (September)	Update 3 (December)
	Red	Red	Red

This area remains red, as despite the project work that has been undertaken, we have not seen a financial impact and project work has not yet been fully embedded within the service yet. We are developing 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 to better influence future project work.

Transitions to mainstream pathways project has investigated case studies for pupils with a similar profile, looking at barriers to pathways to mainstream school from special schools. This has highlighted the following as key to explore with the three target schools:

- How can access to a wider range of curriculum subjects for pupils with ASD who wish to follow an academic pathway (particularly modern foreign languages and discrete sciences) be increased and developed through dual rolling or carefully planned transition to mainstream school?
- How can existing barriers to successful transition (eg administrative where EHCP is out of date, logistical aspects of dual rolling) be removed and are there other barriers from the schools' perspective that need further planning.

Milestones for the project have been revised to include generalisation of learning from this project to other settings and creation of guidance for relevant Stakeholders. Further case studies for pupils with a similar profile have been explored and barriers to pathways to mainstream school from special schools further explored for individual cases.

A new project has been initiated called Independent Mainstream Placements,

with a purpose of reducing the use of independent mainstream placements and aiming to prevent new placements going forward. We anticipate being able to have more successful tribunal outcomes with improved decision making within the process. Research has been undertaken to understand the current position (e.g. numbers of CYP in independent mainstream settings, total current spend, rationale for placements, analysis of key trends). An initial cohort has been identified where parents have placed in an independent school and made a request that the LA provides learning support top up funding on a discretionary basis. Potential cost savings have been calculated, were discretionary provision of learning support fees not to be provided (£329k per annum currently for 28 pupils). Discussion with tribunal team manager around themes and issues where parents request an independent mainstream school to develop understanding of this and potential mitigations in the case of further tribunal. The next step is to seek agreement for formal change to our current position in relation to providing discretionary funding for pupils where there is no legal requirement to do so.

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/June)	Update 2 (September)	Update 3 (December)
	Green	Green	Amber
<p>Despite much work being undertaken in this area we still see an increase in the percentage of CYP post 16 that are in Specialist/Independent placements from 32% in October 2022 to 35.3% October 2023 and a reduction in those attending mainstream and FE placements from 48.5% to 43% within the same period. We are also ceasing fewer Annual Reviews in both 16-18 and 19-25 age groups by approximately 5%. Work has begun to refocus more case officers to work in these areas and we expect to see improvement following this.</p> <p>Pathways for all (PfA) has a focus on system efficiency, that is sector Recommendation Implementation Group (RIG) aimed at delivering benefits over the longer term. The end of November event had a focus on developing locally based collaborative responses to the challenges currently facing the sector. Headteachers, academy and college principals, CEOs of multi-academy trusts and training organisations considered the challenges faced as post-16 providers and what the approach to meeting these would look like; in particular which of our young people are at risk in the post-16 landscape, post-reform, and how they can ensure that their needs are fully met by maintaining and creating post-16 pathways for all.</p> <p>Pathways to Independence and sufficiency planning runs alongside the Pathways to All work, with a new lead driving this forward to widen the scope of the plan so that we can utilise findings from the Special School review and high needs mainstream funding review. The sufficiency plan has now also been published and the college conference will take place in March 2024. There is a further stakeholder event for Pathways for All to review the post-16 landscape in relation to qualifications at level 2 and below, following an event on 28th November, which will inform next steps and direction for this project.</p> <p>The supported employment offer for mainstream schools, has been working with the provider to re-profile KPIs to reflect the new delivery model and eight new schools have signed up to the programme in the first term. Conversations with schools indicate that they value the revised model to suit their capacity.</p>			

## 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/June)	Update 2 (September)	Update 3 (December)
	Green	Green	Green

Phase Transfer for 2024/25 intake has received consultation responses from schools for 820 cases by the deadline. This is a new KPI and so we have no baseline data to compare this to, but anecdotal evidence suggests a more positive response than usual even though the deadline was set 2 months earlier. The placement app developed for Casework teams to centrally record Local Authority decisions has been shared and will be closely monitored to ensure it is used consistently. School area discussions were booked for November to resolve the remaining cases. A panel for Special schools has been held and a lack of capacity in mainstream special schools remain a challenge. Mainstream placement panels are ongoing with KCC holding a firmer line on mainstream inclusion which we anticipate will increase the number of CYP entering or remaining in mainstream for their secondary education.

Training for parents sessions have been planned and advertised, three for parents of primary age children and three for parents of secondary age children. The Parent Engagement Award has been developed and is currently being tested via a small selection of schools as part of a 'soft' launch. Initial applications will be reviewed by a panel comprising of KCC and Kent PACT representatives in December and will be subject to ongoing delivery and performance monitoring as part of the business-as-usual stage.

There is still work to be completed on the transition plans from different districts, with the expectation to work together to implement the transition framework and publish on KELSI (which is an online resource for education professionals in Kent, provided by Kent County Council) to improve consistency and transparency. One district has still to submit their plan, so publication has been delayed. A 'working together, planning together' meeting has taken place with updates regarding placement meetings and the link between plans and placement has been reinforced with the workforce. District plans are being improved and will be published when placement meetings have taken place which are scheduled for December.

## 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/June)	Update 2 (September)	Update 3 (December)
	Amber	Amber	Amber

KCC statutory duty to provide provision for children who have a health-related need is currently met by Rosewood School, with sites in Leybourne (KS3 and4) and Canterbury (KS4). A site meeting took place in October by senior leaders from both The Canterbury Academy, The Rosewood School (TRS), and KCC representatives. The visit included the rationale for the expansion which includes:

- No current KS3 provision at Canterbury due to capacity issues and high demand for KS4 provision
- Travel distance reduction for many students that live on East Kent border, but travel to Leybourne each day
  - Reduction in waiting lists at both sites
- Equal provision for both Canterbury and Leybourne sites

Costs are to date unknown and further work is being undertaken to extrapolate the benefits of an expansion in financial terms.

All contracts have been sent out and are now being returned for external tuition providers and dates have been set for evaluation of subsequent rounds of application. Project end date has been updated to reflect the time at which the contract is expected to be embedded as business as usual. Key performance indicator information has been transferred, which will improve our understanding of the performance of the contracts. The next three evaluation rounds for new providers to join the DPS have been set up for next year, and a market engagement meeting is scheduled for January 2024. Performance monitoring meetings with bigger providers are being arranged.

Revised KPIs have been developed to agree performance monitoring for internal tuition provision. These will also be applied to providers delivering external tuition through the DPS (Dynamic Purchasing System). The project may move to business as usual sooner than the March 2024, due to progress made towards development of KPIs. Performance monitoring for the Internal Tuition Service was undertaken in November 2023. No concerns were in relation to performance

were raised at the meeting and the service is delivering well.

The production of an Inclusion Manual has had some challenges, in gathering content from numerous stakeholders. But this has now moved forward, and content is being received via managers and mini feedback sessions with headteachers and specialists are commencing. The document will be sent off to a focus group December/January and also the design team. This will support inclusive practice being embedded within all our schools and settings.

With Non-Maintained Independent Special Schools (NMISS), the focus this reporting period has been on resolution of fee uplift issues, some of which are extremely high. Commissioning resource has been identified to undertake a review of the NMISS contract and KPIs previously submitted are being collated. Revised KPI's are being designed and will be shared with providers at a market engagement event in January 2024.

The Review of Special Schools project is behind schedule, as the external consultants' report with recommendation was not up to standard and has not delivered recommendations and/or a rationale that are useable, despite significant LA officer input and support. However, the project is now back on track to achieve the revised timescale of a Cabinet decision in March 2024. Options appraisal workshops have been scheduled in December and January for those recommendations that need further development with Special Schools and mainstream heads have been invited to attend.

The SEN Sufficiency Plan draft has gone out for stakeholder consultation with education providers and KCC officers. This consultation ran until November 2023. A summary report of the consultation headlines and initial themes has been considered by KCC's CYPE committee. The analysis of this consultation responses will impact on the development of parental consultation in spring 2024.

The Integrated Therapy review has completed its data analytics profile and held discovery meetings in 12 maintained special schools, which will link with joint funding work and NHS contributions.

The Specialist Resource Provision (SRP) has progressed so that new contracts and SLAs (Service Level Agreement) are going out to schools on schedule. There have been several queries and questions from schools and governing bodies, so a FAQ Teams briefing was scheduled during November. The Governors Training package has been updated for governors with responsibility for monitoring the SRP in their schools. The reporting mechanisms for SRPs are being developed to support SEN Inclusion Advisors to have quality conversations with SRP leads so the progress and standards of CYP who attend the SRP is the focus of the conversation. This will feed into an analytics report to improve the transparency of information between KCC, schools and eventually parents. When all the reporting mechanisms etc are in place in 2024, KCC will be able to collect data on the effectiveness of SRP provision in ensuring good outcomes for children with SEN.

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/June)	Update 2 (September)	Update 3 (December)
	Green	Green	Green
<p>The locality based resources model, whereby all schools work together in defined clusters to have decision making influence over a pre-determined sum of money from the High Needs Block that will support the inclusion of more children in mainstream schools, is ready for consultation.</p> <p>This model will include the development of a tariff type system to support identification of children with more complex needs, who may require more specialist resources, and further external support has been sought to develop this element of the system.</p> <p>The priority has been the launch of the public consultation in November 2023. 12 district meetings have taken place with schools and 316 schools across the county have attended. Timelines have been published with a commitment that the academic year 2024-2025 will be a transition year between one system and another. The entire system change and cultural shift, which is necessary, has critical success factors built in. The key indicator will be the number of children with EHCPs educated in mainstream settings. Currently this stands at 34%, the national average is 45%. The consultation is due to be completed by the end of January.</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/June)	Update 2 (September)	Update 3 (December)
	Amber	Amber	Amber

The joint funded placement review is progressing well towards becoming business as usual. More young people are being identified as requiring NHS joint funding and more applications for funding are proving successful. We have reviewed KCC reclaims processes to ensure that we are invoicing the NHS in a timely manner once funding decisions have been made. We have undertaken recent activity to raise awareness of joint funding with SEND Teams. Training sessions have been held with SEND case officers and Assessment Teams and the Continuing Care Lead Professional now scrutinises High-Cost Placement Panel applications to ensure all joint funding opportunities are realised. Further work is needed within the SEND service to embed as business as usual considering joint funding opportunities as appropriate. Intensive work has been undertaken with 18-25 cohort to ensure joint funding and full continuing health care opportunities are maximised working closely with Strengthening Independence Service and Adult Social care reviewing all 17.5 + young adults every six weeks.

Continued work with Joint Commissioning Subgroup indicates Speech, Language, and Communication Needs (SLCN) may be represented better by more senior post holders, but the information is helpful to connect with Section F Therapies review work. Decisions, milestone identification and realistic demand timeframes will continue to be worked on together with ICB and key stakeholders to schedule and delegate responsibilities successfully in a co-operative and co-owned way.

The Balanced System 'Prove It' Tool resource set has been agreed with NHS providers for user surveys (e.g. for parents and school/setting staff) to support demonstration of impact. KCHFT (NHS SaLT Provider who covers majority of Kent) specific action plan is now in progress via ICB steer - on how changes will be operationalised over coming year. Case study format trials have started to reflect SLCN provision at service or school level and develop a template that can be used for impact reporting. Countywide SENCo forum shared the Link Therapist Guidance Document with 241 schools in attendance (and all Mainstream Schools will have received this with follow-up pack sent out by forum organiser). KCHFT Balanced System implementation plan further developed including a focus on supporting culture change.

60% schools and 88% of FE and early years settings working towards Balanced System® accreditation have had focused support from local mentors.



*SEN therapies qualified provider list*

An additional Lot (Lot 3) has been added to the Qualified Provider List (QPL) for Virtual School Kent. All existing providers have been contacted and asked to indicate whether they wish to be on Lot 3. The Commercial team is collating responses and will update their contracts accordingly. The QPL will be opened for Round 5 of applicants and tenders have been evaluated during November 2023. Working to define Key Performance Indicators which would then be universal KPIs for all three lots and then a second set of KPIs for just SEN will be finished mid-December.

*Big Mental Health Conversation*

256 young people from 31 education settings, mainstream, special, grammar, independent and alternative provisions have contributed to date. The Big Mental Health Conversation Report has been completed and shared. The 'Have Your Say' consultation is now closed, and the report is being developed to inform the new model. Local evaluation of MHST (mental health support teams) effectiveness in schools has begun.

*Whole school nurture service*

Schools are still under significant staffing pressures, impacting their capacity. However, the programme is almost full to capacity at 99% with only a handful of spaces left. The provider is working carefully with each school experiencing capacity issues and offering alternative solutions, as far as possible.

## **RISK REGISTER**

Risk 1: Early Years forecast continues to be outside anticipated numbers			
	Assurance Level		
	Update 1 (May/June)	Update 2 (September)	Update 3 (December)
	Amber	Amber	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 on the Early Years review to ensure those options taken forward are costed and meet Safety Valve targets</p>			
<p>Progress update:</p> <p>Findings are being shared with members January 2024 whilst recommendations and costings continue to be explored</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	Red	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 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</p>			

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 been developed with 4 workstreams identified to improve the quality of data across Synergy. Data quality project is in development and will complement the county-wide work being led by QA 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.

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	Amber	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 possible 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 and special school review.

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	Amber	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	Amber	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 forecast deficits reducing with only 1 school with an in-year deficit in year 1 of around £200k. Work continues with all schools to achieve avoid deficit reserve, 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. A funding review is being undertaken as part of the wider special schools review, but it will not be implemented until April 2025 and 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)
	N/A	N/A	Amber

#### Mitigation:

The Chancellor's announcement to increase the National Living Wage rate by just under 10% for 24-25, coupled with revised CPI forecasts for the medium-term showing inflation is unlikely to reduce as quickly, as previously expected, 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 value 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.