

SAFETY VALVE PROGRAMME OVERVIEW

LA Name	Date Report Submitted	Signed off by S151 Officer & Director of Children's Services	Name & Email Address of Key Personnel	
Kent County Council	27.11.24		CEO:	Amanda Beer
			S151 Officer:	John Betts
Do you need additional support from either of our specialist SEND advisers (early years / inclusion) to support the effective delivery of your Safety Valve plan? If yes, please specify which area (early years / inclusion) you would like extra support in, giving a brief overview of how this support would be beneficial.			DCS:	Sarah Hammond
			Other key contacts for Safety Valve:	Christine McInnes Karen Stone Lynn Horsfield Sam Shepherd
Yes, previously asked for Early Years support and contact now has been made with DfE advisor				

Is your LA's Safety Valve plan on track?	Yes/No	Commentary
To achieve the Safety Valve agreement's projected deficit in the current year?	No	<p>The August report highlighted we were not expecting to meet the original safety valve target of an in-year overspend on the DSG of £29.9m (before additional contributions from the safety valve or LA contributions), with a forecast overspend of £46m. The latest forecast is indicating this overspend has increased further to around £53m, (see reasons below) resulting in us forecasting to be c£10m short of our planned cumulative deficit position as of March 2025.</p> <p>This forecast now includes the expected impact of the majority of outcomes of phase transfer of school age children (final data for Post 16 will be confirmed in December), along with other placement changes agreed for the Autumn term. There is also a small contingency for the outcome of appeals and other changes. The main increases in forecasts relate mainstream schools who have continued (as raised in the previous report) to identify significant numbers of children whose costs of support are greater than £6k of additional support (+£4m increase from August report). Higher demand for specialist placements than estimated in August report have been mainly been met by our special schools (total increase in forecast +£3m).</p> <p>Overall, we are now forecasting +£23m over our original safety valve plan. Whilst the overall number of EHCPs is relatively in line with forecasts, the placement of children and associated costs are the key concern. The main areas of total variance against our original plan are Mainstream School top ups and independent schools.</p>

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		<p>We have found the implementation of the new funding models for schools more challenging than assumed in the original safety valve, which has led to delays against the original timescales. In addition, schools have consistently told us there is a high level of demand and increasing levels of support required for SEN in mainstream schools leading to Mainstream schools identifying significant numbers of children whose costs of support are greater than £6k of additional support.</p> <p>Our forecast number of children in independent schools is approximately the same as forecast under the original safety valve plan however, the higher average cost for independent school placements has added further pressure.</p> <p>Due to continual high inflation & increasing in national living wage we had to provide 1% higher increases to our state-funded settings (schools & post 16) than originally expected in the plan has added further pressure.</p> <p>Our original plan also expected our new SEMH special school would be opened by September 2024, this has been delayed due to a late change in trust leadership. In addition, the plan also assumed 2 of the 3 new special schools applied for would begin a phased opening (on the basis of accelerated programme) however it is now unlikely these schools will be opened until September 2027 (at the earliest), this accounts for £1.9m of the in-year deficit.</p>
To achieve a £0 DSG deficit by the end of the Safety Valve agreement?	No	<p>In the last report we updated the profile to reflect the impact of the reduction in the number of new special places we expect to be available as a result of the decisions and delays by the DfE / ESFA in respect of the application for the 3 new special schools, built into our original safety valve plan, which is something outside the jurisdiction of this authority. The profile still assumes that other risks linked with high cost of placements due to inflation and market conditions, along with demands in mainstream schools can be mitigated through other actions and the additional income expected from the recent Government announcements for 25-26. Therefore, the position remains unchanged with a residual accumulated deficit of £23m by March 2028 (after safety valve contributions). This will be reviewed in full once the new allocations have been announced and other remedial action is considered.</p>

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Is your LA's Safety Valve capital project on track?	No	Due to the 3 new schools, one not agreed and the other 2 are subject to lengthy delays.
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Programme Headlines

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

The embedding of a robust assessment process to ensure appropriate issuing of EHCPs to reduce the possibility of overassessment and issuing of plans.

The focus of embedding good practice and learning from focused backlog teams work into wider business as usual. for example the improvement of annual reviews which by getting the basics correct, frees up resource to allow us to have a better understanding of our cohort and allows us to prioritise the next steps needed.

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

Post 16 work has not progressed as we would have hoped, whilst we have some good examples in the post 19 annual review process and ceasing plans along with more timely completion of phase transfers than in previous years the impact has not been as great as we initially anticipated, we therefore need to focus upon identifying appropriate and cost-effective placement opportunities in the 16-19 cohort moving forward.

Ongoing struggles with our special schools and their perception that they are not heard, whilst officers believe they are working hard to listed to their concerns. This comes from a place where KCC didn't challenge previously, and the special school review now sets out clear expectations and behaviours moving forward.

The backbone of our safety valve plan is delivering savings through increased and consistent inclusion in mainstream schools, and so increasing parental confidence in the SEN system, to avoid the demand for special and independent schools where a child's outcomes can successfully be met in a mainstream school. However, the demand for SEN services in mainstream schools over the past few years has been far greater than anticipated in the original safety valve, and any consideration of cutting funding to mainstream in order to force efficiencies across the sector must be carefully balanced against the delivery of both the APP and the unintended consequence on the perceived "affordability" of being inclusive. Mainstream schools are very concerned around ongoing financial sustainability particularly with the added complication of falling rolls. There is increasing anxiety in the mainstream school system.

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

Inclusions champions work is very much engaging with schools, and we are working on face to face and webinars with our mainstream schools. We have had keen interest in the communities of schools' work with the high needs funding model.

SAFETY VALVE PROGRAMME DETAILED UPDATE

Agreement
Condition

Assurance
Level

Progress Update from this Quarter
Please include/refer to relevant data and evidence to support your rating and explain the scale of any impacts

SAFETY VALVE PROGRAMME DETAILED UPDATE

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

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

Agreement Condition 1: Implement a countywide approach to 'Inclusion Education', to further build capacity in mainstream schools to support children and young people with Special Educational Needs and Disabilities (SEND), thus increasing the proportion of children successfully supported in mainstream education and reducing dependence on specialist provision	Data Source	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24
Percentage of young people in year R-6 with an EHCP in specialist provision	MI	41.3	40.5	39.9	39.0	38.2	37.4	37.1	36.6	36.2	35.4	35.0	37.7	37.5
Percentage of young people in year 7-11 with an EHCP in specialist provision	MI	56.4	56.1	56.0	55.7	55.4	54.9	54.6	54.4	54.3	54.1	53.6	54.3	54.1
Percentage of young people in year 12-14 with an EHCP in specialist provision	MI	39.0	39.3	39.4	39.2	39.1	39.1	39.1	38.9	38.8	38.1	36.5	39.7	40.0
Percentage of School Age CYP (Yr R to Yr13) with an EHCP who are in a mainstream setting	MI	39.6	39.7	40.4	41.0	41.2	41.7	41.9	41.9	42.1	42.0	41.9	40.6	40.7
Percentage uptake for leadership programmes and MCS work from schools		-	-	-	-	-	42%*	-	-	-	-	-	-	-

*At the end of the contract in March 2024 42% of eligible schools had participated in the programme against contract target of 360 primary and secondary mainstream schools

Agreement Condition 2: Introduce a robust Special Educational Need (SEN) offer for early years, following a review, which explores alternatives to special school admission before Key Stage 2 (KS2), SEN redesign and implementation of County Approaches to Inclusive Education (CAIE) to support consistent mainstream offer, including leadership development	Data Source	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24
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SAFETY VALVE PROGRAMME DETAILED UPDATE

Agreement Condition	Assurance Level	Progress Update from this Quarter <i>Please include/refer to relevant data and evidence to support your rating and explain the scale of any impacts</i>												
programmes, peer review and core training offer														
Overall number of EHCPs at EY/KS1	MI	2,030	2,111	2,194	2,338	2,440	2,563	2,665	2,816	2,952	3,113	2,265	2,357	2,430
Percentage of EY/KS1 moving into Special/Independent (%)	MI	0.3	0.4	0.0	0.5	0.2	0.1	0.4	0.1	0.1	0.2	0.0	10.7	0.6
Agreement Condition 3: Review the system of Educational Health and Care Plan (EHCP) assessments and annual reviews to ensure robustness, transparency, and consistency, through use of consistent criteria and practice framework	Data Source	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24
Number of EHCP requests agreed at Assessment stage	MI	135	224	301	212	92	148	138	137	142	166	127	51	117
Percentage of EHCP requests agreed at Assessment stage (%)	MI	53.6	62.6	70.2	55.6	30.8	37.0	36.5	40.2	42.8	45.9	39.6	41.5	47.2
Number of EHCP requests declined at Assessment stage	MI	117	134	128	169	207	252	240	204	190	196	194	72	131
Percentage of EHCP requests declined at Assessment stage (%)	MI	46.4	37.4	29.8	44.4	69.2	63.0	63.5	59.8	57.2	54.1	60.4	58.5	52.8
Number of EHCP requests agreed at Issue stage	MI	244	246	188	203	159	182	189	208	189	176	158	143	197
Percentage of EHCP requests agreed at Issue stage (%)	MI	96.1	95.3	93.5	80.6	68.8	78.1	82.2	80.9	84.4	83.8	80.6	81.3	87.9
Number of EHCP requests declined at Issue stage	MI	10	12	13	49	72	52	41	49	35	34	38	33	27
Percentage of EHCP requests declined at Issue stage (%)	MI	3.9	4.7	6.5	19.4	31.2	22.3	17.8	19.1	15.6	16.2	19.4	18.8	12.1
The number of needs assessments currently underway	MI	2,081	2,209	2,192	2,047	1,828	1,704	1,476	1,306	1,148	1,084	834	812	944
Percentage of Annual Reviews Overdue (%)	MI	60.1	56.7	54.4	51.1	48.9	47.6	44.5	41.8	39.0	36.9	35.4	34.4	34.1
Number of Annual Reviews overdue	MI	11,858	11,752	10,524	9,961	9,598	9,402	8,853	8,363	7,855	7,438	7,128	6,975	6,984
Agreement Condition 4: Implement models of reintegration of children from Special/Independent schools to mainstream where needs have been met	Data Source	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24
Number of CYP in Special/Independent moving into Mainstream - At Phase Transfer	MI	IN	DEV	ELO	PME	NT		NOT	AVA	ILA	BLE			

SAFETY VALVE PROGRAMME DETAILED UPDATE

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[illegible]

respond to the needs of children and young people with SEND														
Average cost to support in mainstream - EHCP's Actual Rate (contains all the HNF details)	Finance	£8,885	£8,868	£8,693	£8,455	£8,387	£8,647	£8,821	£8,760	£8,730	£8,731	£8,741	£8,756	£8,994
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.														
Numbers of joint funded placements and total cost	Finance													

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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;	Update 1 (May)	<p>The percentage of CYP In year R-6 in specialist settings sits at 37.5% a reduction of 5.8% since October 23 and those in year 7-11 is 54.1% a reduction of 2.3% however we continue to work with FE colleges for the older age groups as discussed under condition 5 where CYP in year 12-14 sits at 40.7% and continues to increase.</p> <p>Much of the project work that has now closed was to build capacity within the mainstream settings and implementation of this work is ongoing, we would expect to see continued impact and a reduction in percentages placed within specialist settings year R-13 during the next few years of the Safety Valve programme, however overall progress has slowed and we have 40.7% of school age CYP who are placed within a mainstream setting increasing only 1.1% since October 2023. The team are preparing an annual progress report for December which will give a fuller update for the next report.</p> <p>The final project within this area is STLS and the public consultation in relation to the service commenced in September 2024. It remains on track for timing and schedule and focus is now on understanding how the service may fit into future ways of working being implemented as part of the ongoing SEND transformation in Kent. An external organisation has been awarded the contract to undertake an evaluative analysis of the consultation questionnaires.</p>
	G	
	Update 2 (August)	
	G	
	Update 3 (November)	
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 (CAtlE) to support consistent mainstream offer, including leadership development programmes, peer review and core training offer	Update 1 (May)	<p>This area has been slower to develop than anticipated, despite much work being completed within the Early Years review the implementation has not yet been fully rolled out and impact has been delayed beyond the time frame expected. The numbers of EHCPs within Early Years/KS1 continue to increase and we now have 2,430 an increase of 400 within the last year.</p> <p>A Key Decision regarding the early years review and the proposal to implement a revised model of universal, targeted and specialist support has been taken and cannot yet be implemented, although the review element of the project is now completed the new phase 'Implementation of a Revised Model of support' has commenced. New milestones and risks have been drawn up into the new phase of this project work.</p>
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	Update 2 (August)	
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	Update 3 (November)	
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Condition 3: Review the system of Educational Health and Care Plan (EHCP) assessments and annual reviews to ensure robustness, transparency, and consistency, through use of consistent criteria and practice framework	Update 1 (May)	<p>The previous changes within the panels and the more robust process to agree to assess has resulted in a continued drop in Yes to assess decisions during the last year, but they have increased slightly since July by 1.3%. The number of decline to issue has also reduced by 4.1% over the same period so whilst progress is good overall during the year it still needs to be maintained each month by consistent and robust decision making.</p> <p>The percentage of annual reviews completed within time frame has improved and now 34.1% or 6.984 are currently overdue.</p> <p>Initial meetings of the better data stronger teams group continue and involved reviewing workflows and identifying area for improvement. Processes on Synergy are to be simplified reducing the number of workflows, ensuring key data items are captured efficiently, moving letter attachments to automated emails, using Power automate. The group aims to streamline data quality reporting and focus on key discussion points. There will an emphasis on removing unnecessary steps in Synergy to reduce data quality errors, ensuring that key decision dates are accurately recorded for statutory returns. The future plan will be to use other systems to improve data accuracy, like Liberi.</p>
	G	
	Update 2 (August)	
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	Update 3 (November)	
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Condition 4: Implement models of reintegration of children from special/independent schools to mainstream where needs have been met;	Update 1 (May)	<p>Worryingly there are still many more CYP moving into Specialist and Independent settings than moving out, numbers for September when phase transfer took place show 172 moving out and 621 moving in. This continued for October with much lower numbers as expected, but still show 4 moving out and 49 moving in. This is despite much work ongoing within projects to reduce these numbers. The INMISS steering group will have oversight of this work moving forward so more can be embedded within case work to ensure as many CYP as possible, move into or remain within mainstream settings.</p> <p>The transitions to mainstream pathways work has shown that the LA maintained special schools originally identified for the project have not been willing to consider working on transition at key stage 3-4, arguing that parents would not be open to considering change at this stage. Some schools have shown willingness to consider a focus on transition for the post-16 cohorts, however with the background of the special schools' review conversations on moves for current pupils have</p>
	R	
	Update 2 (August)	
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	Update 3 (November)	
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SAFETY VALVE PROGRAMME DETAILED UPDATE

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		<p>not had positive results to date. Discussions have been held with SEN ADs around whether these conversations are likely to be more productive and successful if they are held during existing meetings where AD/ADEs are meeting with school leaders rather than as an additional strand.</p> <p>The Independent Mainstream pathways work has continued to move forward, with initial discussions with solicitors regarding current part-funded arrangements and we are awaiting written advice. All current EHCPs have been checked and amended where appropriate to ensure that where parents have agreed to fund placements the appropriate wording is used in Section I to prevent the Local Authority being in a position where they may be required to pay for these placements in the future. Having a consistent casework officer to liaise with schools has had many benefits. Firstly, information around inadequate quality or concerns is held in one place and can better support and inform quality assurance practice. Secondly, one school (our second biggest spend in terms of independent mainstream placements and previously a school where there has been high demand from parents for placements) have stated that they wish to reduce the number of CYP with EHCPs they support going forwards, and are pushing back where parents request a placement even where parents are wishing to fully fund this themselves. The SEND Inclusion Adviser for Independent Schools has stated that the increased scrutiny and expectation from the Safety valve casework officer has been one of the key factors in the school making this decision.</p> <p>The Independent placements OLA Cohort identified Annual reviews booked between Sept 24 and January 25 and 6 plans were ceased at the end of 23/24 with a cost difference between 23/24 and 24/25 of £1,212,730. We have had much success with individual pupils now being in more suitable and economical placements. However, the delay of the Post 16 team to move students in a timely manner, due to their staffing capacity, enabled continuation to be agreed by default for several pupils and the higher costs, therefore, to continue for another year.</p>
Condition 5: Develop a robust Post-16 offer across the	<div>Update 1 (May)</div> <div>A</div>	The pathways for all work has now been merged fully into business as usual and no longer sites as a project within the Safety valve programme but continues to

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county with clear pathways to independence for children with SEN, through increased Post-16 opportunities for preparing for adulthood	Update 2 (August)	work to ensure inclusive and robust offers are available within our post 16 sector across the county. The preparation for adulthood data on onward placements is still not available for the cohort of 23 identified young people for a Mid-Kent College pilot group, but the initial meeting has been held with Mid-Kent college and ADE to share their proposals for opening a new PMLD provision and to discuss potential building adaptation/funding to support accessibility of new building. Data analysis on unplaced young people following phase transfer this year is still being completed and will be shared with colleges once finished. Mid-Kent college is open to supporting a pilot group in the short term for September 2025 either with a focus on supporting SEMH or with an entry level curriculum, however they received no consultations for the entry level 2 programme they intended to run from September 2024 and have requested further information as to where the greatest need exists in order to plan how an existing room can be used to best support learners from September 2025.
	A	
	Update 3 (November)	
	A	
Condition 6: Develop the Transition Charter to increase parental confidence in Kent's provision. This involves working with schools to enable them to articulate the provision pathways for parents clearly and provide support to both children and parents at key transition points;	Update 1 (May)	The transitions charter has been embedded, and phase transfer data is included within all other data sets. Progress to complete on time has been good for 24/25 and lessons learnt will be taken forward into a new project for 25/26. The last data shared shows Year 6/7 92% of pupils within the original 1,236 phase transfer cohort have been offered a place, The measure against our Safety Valve targets for January 2025 are 16 more in mainstream, 26 fewer in Special, 19 more in Independent and 8 fewer in Other, there are 126 more in total numbers with an EHCP than anticipated. Post 16 Phase Transfer forecast for Jan 2025 was 1340 pupils and we currently have 1375 an increase of 35 and data analysis is continuing with this cohort due to the delay in receiving placement data.
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	Update 2 (August)	
	G	
	Update 3 (November)	
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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	Update 1 (May)	There are currently 928 children recorded on Synergy as having no current placement as of October 2024 (with placement recorded as out of school, unknown or no current placement). This represents 4.6% of our total EHCP cohort. Analysis of this data by year groups indicates that there are increases in post phase transfer year groups (reception, year 7, year 12 and year 15), this represents 34.7% of the cohort of children with no current placement currently. Planning to improve processes at phase transfer points is already established and it is anticipated that in the future the numbers of CYP without a placement following phase transfer points will reduce over the longer term.
	A	
	Update 2 (August)	
	A	
	Update 3 (November)	
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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		<p>There are currently small differences in percentages of children with particular need types. Children with no primary need recorded are at most risk of being without current placements at just over 20% of the cohort. An action plan has been created and will be implemented with target dates for impact from January 2025 onwards.</p> <p>The public consultation regarding the special school review proposals about change of designation and admission guidance and a school-to-school support model for improving the inclusion of children with SEND in mainstream has been completed and the governance papers with recommendations will be presented at cabinet in November, so a fuller update can be included within the next report once the decision has been made and the recommendations are being implemented.</p>
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	Update 1 (May)	<p>The average cost to support in mainstream sits at £ as of October 2024 significantly lower than many Special School and Independent places so work continues to focus upon ensuring CYP are well supported within mainstream and SRP settings wherever possible.</p> <p>The communities of schools have been launched, and financial modelling is taking place to consider the allocation for the communities alongside the implementation of a tariff model. The principles of the funding model were discussed and agreed with Schools Funding Forum on 11th Oct 2024. A funding consultation with schools will take place in November which will outline the principles of the model, the operations of the model and how KCC plans to transition from one model to the next. We are preparing the funding consultation at the moment. It will go to all schools on 18th November for 3 weeks. Timelines indicate that new chairs will be introduced between January and March 2025 and by April we will have a notional pot of money to allocate to mainstream schools from high needs block. By September 2025, the communities will be fully operational with a pot of money to spend and between Sept 2025 – July 2026 we will have completed a full review of all children with EHCPs and placed them onto a tariff system.</p>
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	Update 2 (August)	
	G	
Condition 9: Continue working closely with NHS Kent and Medway to ensure a common	Update 3 (November)	<p>PINS is now in the implementation phase where we are delivering training sessions, bespoke workshops, support sessions on all thing relating to neurodiversity to our 20 Maidstone schools and Medway to their 20 schools. The focus has been on ensuring PINS schools</p>
	A	
	Update 2 (August)	

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understanding of SEND needs, including the drivers behind increases in need, ensuring clarity of clinical assessment and the subsequent funding associated.	A	<p>have the basic training, called the “universal offer” in the first instance. This offer includes sessions on Mainstream Core Standards, Making Sense of Neurodiversity and other AET training, headteacher briefings, EBSA training amongst others. The Enhanced offer includes, bespoke attendance meetings, sessions on emotional regulation, support for staff, ADHD training, dyslexia, dyscalculia training, trauma informed sessions, balance system accreditation, Solihull training as well as physical audits, and much more. Engagement for schools is a challenge, and we are trying to mitigate this by providing additional support from the project team to keep them on track and engaged as well as accommodating date and times so that the training is as accessible as possible.</p> <p>The project remains very time consuming for schools and impact is not likely to be felt until Terms 3 & 4 and beyond when ongoing peer network sessions will be in place. Schools need the time and space reflect on the training and support sessions that they have accessed and use this to change the way they approach neurodiversity in their school environment.</p> <p>Joint Funding work continues and a fuller update will be provided next reporting period</p>
	Update 3 (November)	
	A	

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

SAFETY VALVE PROGRAMME RISK REGISTER

Risk	Assurance Level	Mitigation	Progress Update from this Quarter <i>Please include/refer to relevant data and evidence to support your rating and explain the scale of any impacts</i>
Risk 1: Risk 1: Early Years forecast continues to be outside anticipated numbers	Update 1 (May)	<p>Deep dive draft reports have been presented, and recommendations and relevant key decisions have now been made including options to avoid greater numbers of children entering special schools in KS1. Work continues the Early Years review implementation to ensure those options are taken forward and fully are costed to meet Safety Valve targets</p> <p>We have a surge in EY EHCP numbers, in line with the rest of the country, and the risk is that we will have either high support needs or specialist placements in KS1 and the associated cost of these during the next few years</p>	<ul style="list-style-type: none"> An implementation group has been established with tis working to implement most recommendations by Sept 25. KCC has also made contact with the DfE EY link and we are working with Catherine McLeod CEO of Dingley's Promise Charity who is undertaking three days of work and will be facilitating a workshop about developing our Ordinarily Provision document on 27th November
	R		
	Update 2 (August)		
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	Update 3 (November)		
Risk 2: Data quality within SEND service is not where we need it to be despite work to change this much is dependent upon culture change and an understanding of the criticality of this so will take time to embed and, in the meantime, we are working with inaccurate data.	Update 1 (May)	<p>Shared presentation with the Council's Management Information Unit delivered to Strategic Board to highlight this issue and bi-monthly updates on this risk also shared. Risk owner allocated to Assistant Director SEND Process. The Quality Assurance team, led by an Assistant Director, is working to improve the quality of data, and identify mitigation actions to be taken. The Assistant Director, Operations and her team checking highlighted as missing from case study work. Guidance created for what is to be recorded where and expectations on the input and use into the "Synergy" education management system. The Assistant Director (Quality Assurance) has become a standing member of the Synergy Operations Group. Set Phase Transfer as</p>	<p>Substantial progress in sharing findings and highlighting the importance of data quality has happened but this has not always been fully reflected within individual teams' subsequent work. Prioritisation of data corrections is underway.</p>
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	Update 2 (August)		
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	Update 3 (November)		
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SAFETY VALVE PROGRAMME RISK REGISTER

Risk	Assurance Level	Mitigation	Progress Update from this Quarter <i>Please include/refer to relevant data and evidence to support your rating and explain the scale of any impacts</i>
		<p>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</p>	
<p>Risk 3: The impact of only being successful for only 2 of the 3 new special schools requested, via the DFE Special Schools Safety Valve Capital Programme, is forcing more placements into the independent sector at much greater expense</p>	Update 1 (May)	<p>This is a medium-term risk as safety valve profiles assumed the school would have a phased opening from September 2025.</p>	<p>We continue to show the impact of the delays / reduction in number of special school places being agreed has been shown in the overall Accumulated DSG deficit profile. Whilst further future mitigations are being considered in line with the review of the capital strategy for High Needs, including viable alternative actions to expand existing special schools or agree specialist satellite provision housed in a mainstream school to help mitigate the risk. This risk alongside having to identifying other savings to mitigate against pressures arising from both higher inflation (risk 6) and demands from mainstream is making it less likely suitable alternative actions</p>
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	Update 2 (August)		
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	Update 3 (November)		
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			can be identified within timescales.
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.	Update 1 (May)	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 recently met with the DfE where we are increasingly receiving responses from other local authorities refusing to fund and 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 (Other Local Authorities) and so indicates our current practice of recharging OLAs for education costs could be considered an appropriate action. We continue to “push back” other LAs that suggest we must pick up these costs. Legal advice is also being sought. Recent meeting with DfE provided an opportunity for the council to put forward our position. However, since then we are receiving increased responses from OLAs that they are no longer willing to honour historic arrangements
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Risk 5: Financial instability of state-funded special schools	Update 1 (May)	KCC representatives across Schools Finance, SEN, School Improvement and Area Education Officers have been working with special schools with forecast deficit reserves within the next three years, we have one school with a deficit of £400k (brought down from an initial forecast of £800k) in March 2024. A further 2 schools indicated deficits by year 3, work continues with all schools to avoid deficit reserves, however most	A funding review is being undertaken as part of the wider special schools' review, but it will not be implemented until Sept 2026 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
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		Maintained Special School 3-year plans are still indicating most will have exhausted the majority of their reserves within three years, and this has largely been as a result of funding increases (minimum 3.4% for 23-24, and locally agreed further increase of 2% in 24-25) being insufficient to cover increases in support staff wages (which costs rose closer to inflation of 10% in 23-24 and are likely to see similar levels in 24-25) - this has impacted special schools to a greater extent than mainstream schools due to the higher use of support staff.	considered within the context of safety valve financial expectations. KCC Schools Finance Services continues to work with special schools most at risk of falling into deficit to identify possible areas of efficiency. Whilst additional funding received through the core schools budget grant will help, this will not go far enough to support the impact of the national living wage rises.
Risk 6: Grant funding not adjusted to reflect inflation forecasts <ul style="list-style-type: none">•	Update 1 (May)	The Chancellor's announcement to increase the National Living Wage rate by just under 10% for 24-25, means our ability to achieve our original intention to hold prices at 1% over the medium term is proving challenging. Whilst the Core Schools Budget Grant was intended to cover some of this impact it was not fully funded plus these types of "additional grants" do not address the impact on other HN Funded services such as SRPs/mainstream top up or other centrally retained teacher services (such as specialist teacher services). which means further cuts to the service or additional pressure. Whilst the recent announcement of the extra £1billion into high needs is welcome. This will not go far enough to address the historical lack of recognition of the inflationary pressure on services commissioned from the high needs block that has	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% in 24-25, means 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.
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		added further unfunded pressure to the HNB. Both directly and indirectly.	
Risk 7: Changes in School Funding Forum Membership	Update 1 (May)	We have seen a recent change in the membership of the Schools Funding Forum, with several long-standing members stepping down, including our Chair who has been in place for over 12 years. The Schools Funding Forum are a key stakeholder. We have worked hard to maintain a good working relationship with our Schools Forum and value their support and challenge in managing the Dedicated Schools Grant and actions required to meet the High Needs Deficit Safety Valve plan. A change in members will inevitably lead to a period of uncertainty, at a time when we are planning, over the next 12 months, to be implementing some of biggest funding changes with schools across mainstream and special sector, along with the gaining support for the transfer each year. We will not know who our new Chair will be until September.	A new Chair was nominated, a long-term member of SFF, who is more familiar with the financial journey this council has been on. Socialisation of the reasons why Kent is in safety valve programme continue and reinforcing the role in Forum members as an advocate for their schools and the information shared at the Forum. This is taking place during the Autumn.
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Risk 8 External support from DfE and central government is not forthcoming to underpin KCC decisions such as tribunals and challenge from	Update 2 (August)	We can make robust decisions, but these can be overturned or appear to be unsupported by either DfE decisions or other central government decisions.	We are reviewing our data on tribunals to maintain a more detailed database of the impact of tribunal decision-making. This will also be used to support/identify other possible actions that may be taken to avoid the tribunal in future (if applicable). Continue to work with all schools and challenge where they are not adhering to government policy. Awaiting further government policy and implementation
	Update 3 (November)	Recent publications have highlighted the challenges local authorities are facing in trying to turn the "oil tanker". A common example is the effective use of resources test cited in tribunals which are taken in isolation and based on individual children rather than recognising the overall	

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Special Schools		funding envelope KCC must operate within. A recent tribunal decision considered £20k difference in cost, not to be significant enough reason but these cumulatively are a risk to our ability to meet SV. There is little we can do in these instances to mitigate external decisions. Ensuring all Trusts are actively demonstrating and supporting "inclusive in mainstream schools" is essential in achieving a financially sustainable future SEN system. This must also extend to the approach taken by Trusts with special schools.	plan for SEN reforms.