

**SEND SUB-COMMITTEE**

**Tuesday, 25th July, 2023**

**2.00 pm**

**Council Chamber, Sessions House, County  
Hall, Maidstone**







## AGENDA

### SEND SUB-COMMITTEE

**Tuesday, 25th July, 2023, at 2.00 pm**  
**Council Chamber, Sessions House, County Hall,**  
**Maidstone**

Ask for: **Gaetano Romagnuolo**  
Telephone: **03000 416624**

#### **Membership**

- Conservative (7): Mr P Cole (Chairman), Mrs B Bruneau (Vice-Chairman),  
Mr M Dendor, Mrs S Hudson, Mr H Rayner, Mr A Sandhu, MBE and  
Mr M Whiting
- Labour (1): Dr L Sullivan
- Liberal Democrat (1): Mrs T Dean, MBE
- Green and  
Independent (1): Rich Lehmann
- Church  
Representatives (3): John Constanti, Michael Reidy and Quentin Roper
- Parent Governor (2): Rebecca Ainslie-Malik and Holly Carter

#### **UNRESTRICTED ITEMS**

*(During these items the meeting is likely to be open to the public)*

- 1 Introduction/Webcasting Announcement
- 2 Apologies and Substitutes
- 3 Declaration of Interest by Members in Items on the Agenda
- 4 Minutes of the Meeting Held on 6 June 2023 (Pages 1 - 6)
- 5 Improvement Notice and Accelerated Progress Plan (APP) Update (Pages 7 - 124)
- 6 Future Meeting Dates

All the meetings will be held in the Council Chamber, Sessions House, Maidstone, Kent, ME14 1XQ.

Thursday 28 September 2023, 2pm  
Tuesday 31 October 2023, 2pm  
Thursday 7 December 2023, 2pm  
Wednesday 7 February 2024, 2pm  
Thursday 21 March 2024, 2pm

### **EXEMPT ITEMS**

*(At the time of preparing the agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public)*

Benjamin Watts  
General Counsel  
03000 416814

**Monday, 17 July 2023**

## **SEND SUB-COMMITTEE**

### **AGENDA**

**Tuesday, 6 June 2023, at 2.00 pm**

MINUTES of a meeting of the SEND Sub-Committee held in the Council Chamber, Sessions House, County Hall, Maidstone, on Tuesday 6 June 2023.

PRESENT: Mr P Cole (Chairman), Mrs T Dean, Mr M Dendor, Mr R Lehmann, Mr H Rayner, Mr M Reidy, Mr A Sandhu and Dr L Sullivan.

VIRTUAL ATTENDEES: Mrs B Bruneau (Vice-Chair) and Mr Streatfeild joined virtually.

ALSO PRESENT: Mr R Love (Cabinet Member for Education and Skills).

IN ATTENDANCE: Ms S Hammond (Corporate Director for Children, Young People and Education), Ms C McInnes (Director for Education), Mr C Chapman (SEND Assistant Director/Head of Fair Access), Ms A Farmer (Assistant Director/Principal Educational Psychologist), Ms A Gleave (SEND Interim Assistant Director for Operations), Mr G Romagnuolo (Research Officer - Overview and Scrutiny) and Ms E Kennedy (Democratic Services Officer).

## **1 Introduction/Webcast announcement**

The Chairman welcomed everyone to the meeting.

The Chairman read a statement on behalf of Mr Webb explaining the reasons for his resignation.

## **2 Apologies and Substitutes**

Apologies for absence were received from Mrs Hudson. She was substituted by Mr Booth.

## **3 Declarations of Interest by members in items on the agenda**

Mr Booth explained that he was the Chairman of KCC's Scrutiny Committee. He reassured the Sub-Committee that his substitution for Mrs Hudson would not conflict with that role.

## **4 Minutes of the meeting held on Wednesday, 22nd March 2023**

RESOLVED that, subject to the inclusion of Mr Reidy in the attendance list, the minutes should be approved as a correct record.

## 5 Education, Health and Care Plans in Kent

- 1) Mr Love introduced the report and the guest KCC officers.
- 2) Christine McInnes clarified that the EHCP data (which had been requested by the Sub-Committee) was included in the main body of the report so it could be contextualised.
  - a) She explained that Kent was an outlier at every stage of the statutory EHCP process. However, this was not true of other data about Kent's children and young people, which was broadly in line with national or nearest neighbour averages. This would suggest that, at a system level, Kent's approach to planning to meet the range of children's needs, and its judgement about 'significantly greater difficulty in learning', may differ from other parts of the country. There was general acceptance that there was significant variation in the way this phrase was interpreted in different schools and local authorities. This had been recognised by the Government, who had signalled its intention to bring in greater national standardisation of the EHCP process. Further publications detailing the elements of this standardisation were expected in autumn 2023.
  - b) Critical to this was whether the parents of SEND children were confident that they could be educated effectively in mainstream settings. The report outlined the wealth of work that had been carried out in Kent to develop the capacity of mainstream schools to meet the needs of children and young people with SEND.
  - c) There were challenges with the recruitment of Speech and Language Therapists; this was a national issue.
  - d) There had been a significant restructuring of KCC's SEND service provision. This was completed in April 2023.
  - e) While the main purpose of the report was to highlight the areas of service provision that needed improving, it was important to acknowledge that there were many children and young people with SEND in Kent who were thriving and doing well in their school.
- 3) In response to a Member's question about the reasons for the spike in EHCP assessments for 2-3 year olds and 9-10 year olds, Christin McInnes explained that those were threshold ages for entry to different parts of the education system. There had been a significant increase in Early Years assessments post-Covid. Short-term interventions were being developed to address speech and language development, and social and emotional development, to compensate for this post-Covid impact. In terms of preparation for secondary school, it was not known whether there was a direct correlation with the Selective system, although this could be a factor.

- 4) In reply to a question seeking clarification on KCC's interpretation of the SEND Code of Practice, Christine McInnes said that she needed to take advice from the General Counsel before responding.
- 5) Responding to a question about the number of Kent schools that had signed up to the SEND protocol, Christine McInnes explained that there was a statutory requirement in Equalities Law to make reasonable adjustments in relation to disability. There was a legal requirement that schools should be inclusive and accessible; it was not for them to decide whether they should sign up to this protocol or not.
- 6) Mr Love explained that two weeks earlier he, and a group of KCC officers, had visited Lincolnshire County Council to examine in detail their effective approach to SEND provision. This was part of the evidence-gathering process that would inform how SEND service provision in Kent could be improved.
- 7) In answer to a question about the relatively high number of EHCP requests and assessments in Kent, Christine McInnes explained that the evidence suggested that, at every stage of the process, Kent seemed to have a more generous interpretation of the statutory requirements than other local authorities.
  - a) Sarah Hammond said that there was a belief amongst parents in Kent that the only way to meet the SEND needs of their children was through an EHCP. It was important to grow parents' confidence that their children's needs could be met through KCC's partnership with local Early Years establishments, schools and FE colleges.
- 8) In answer to a question about what part of Kent's staff training was obligatory and how it was monitored, Christine McInnes said that the training was currently obligatory. There were a number of training modules that all staff were expected to take, while other training was targeted, depending on the role. She confirmed that attendance at the training was monitored.
  - a) In terms of SEN training for mainstream schools, Kent's approach and expectations (as described in the Countywide Approach to Inclusive Education and the Mainstream Core Standards) were supported by a range of training opportunities that were available at no cost to schools. More than 76% of schools – including a number of academies - had participated in this training, and had been given a wide range of additional advice and guidance.
- 9) Craig Chapman outlined the changes that had been made to improve the provision of SEND transport in Kent. KCC's communication with the parents of children with SEND would start much sooner, including discussions about the provision of transport.



10) In reply to concerns about whether applicants for SEND statutory posts would be suitably trained and qualified, following KCC changing its recruitment strategy to widen the potential pool, Christine McInnes explained that the requirement for many jobs to have a degree had been expanded to include an equivalent and appropriate experience.

11) Asked how Safety Valve negotiations would affect the provision of SEND services in Kent, Christine McInnes explained that the key was to ensure that KCC had a properly functioning system. If the system was effective and functioned well, a number of the budget issues could be resolved.

a) Mr Love explained that the main aim of Safety Valve was to ensure that the High Needs block of the Dedicated Schools Grant was not in deficit.

12) In answer to a question about why parents asked for an EHCP, Mr Love said that there were many reasons. In many cases, an EHCP met the needs of the child; in others, assessments established that the needs of the child could be met without the need of an EHCP.

13) A Member asked what the main issues concerning EHCPs in Kent were. Christine McInnes listed the following:

- a) A more effective use of resources was needed to identify children with SEN, and intervene, earlier. This would also build parental confidence.
- b) Some mainstream schools had not been sufficiently challenged to meet national expectations to provide effective education to children and young people with SEND.
- c) There was evidence to suggest that the wider educational opportunities and life chances for some children who attended Special Schools would be better met if they were educated in mainstream settings.

14) The Chairman suggested that, in future, it would be useful for the Sub-Committee to be provided with a detailed scorecard which included Key Performance Indicators for the EHCP process, and quarterly targets for improvement, as discussed in the report.

15) Members of the SEND Sub-Committee requested the following written information:

- a) Clarification (and possible correction) of the data on EHCPs presented in paragraph 2.3 of the report.
- b) Detailed information about the previous and current KCC workforce involved in the provision of SEND services (see paragraph 2.31 of the report).
- c) Data on the number EHCP appeals, including how many were upheld by KCC, and how many were settled in tribunals.
- d) Information about the support services that are available in Kent to families of children with an EHCP, and to schools to help them support children with an EHCP.

- e) A breakdown of the sufficiency of educational establishments in each Kent district in terms of meeting the local demand of children with SEND.

16) The Chairman thanked all those present for attending the meeting.

RESOLVED – The SEND Sub-Committee noted the contents of the report.

**From:** Rory Love, Cabinet Member for Education and Skills  
Sarah Hammond, Corporate Director of Children, Young People and Education

**To:** SEND Scrutiny Sub-Committee, 25<sup>th</sup> July 2023

**Subject:** Improvement Notice and Accelerated Progress Plan (APP) update

**Classification:** Unrestricted

**Past Pathway of report:** None

**Future Pathway of report:** None

**Electoral Division:** All

**Summary:**

This report provides an update on the process since the Improvement Notice issued in March 2023, to develop an Accelerated Progress Plan (APP) for the Kent local area system. The APP is required by the Department for Education to address all the areas of significant weakness outlined in the Ofsted/CQC Inspection Revisit and sets out actions by partners across the system to improve the experience of children, young people and families with SEND.

**Recommendation(s):**

The SEND Scrutiny Sub-Committee is asked to **note** the contents of the report.

**1. Background**

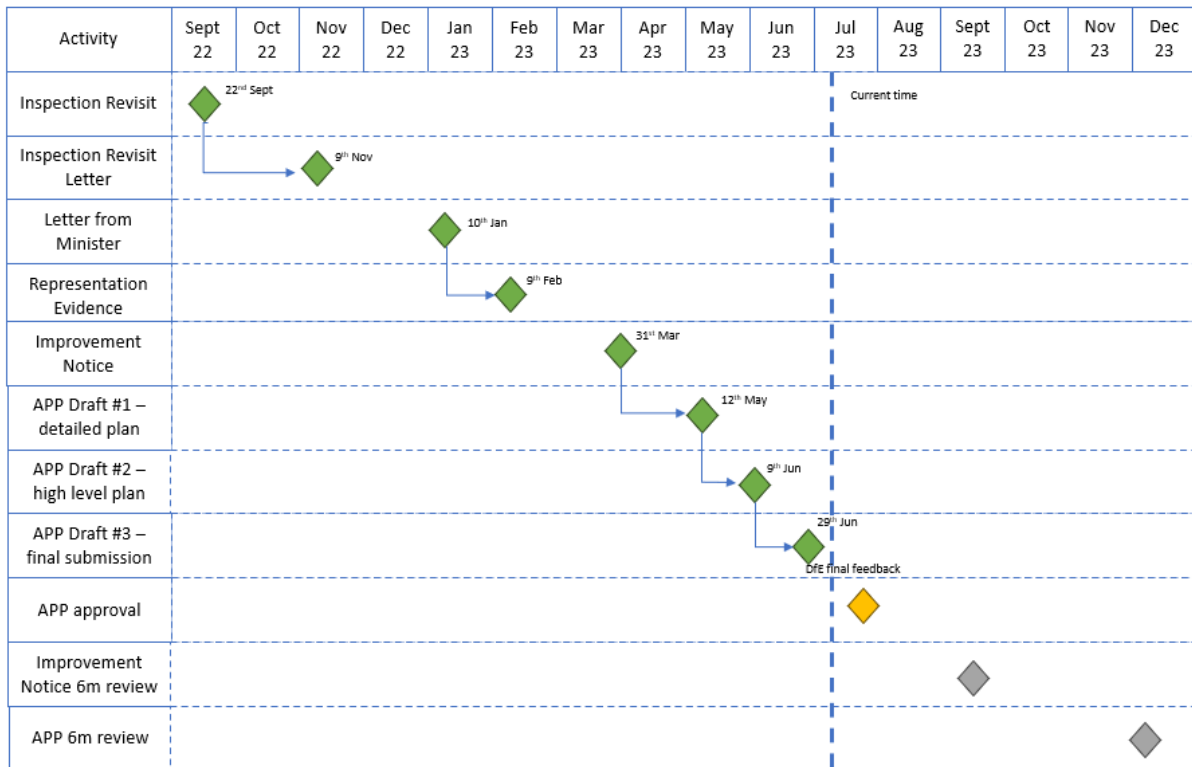
- 1.1 Following the Ofsted/CQC Inspection Revisit in September 2022 and the Inspection Revisit findings issued in November 2022, partners across the Kent local area system have been working hard together to plan and progress actions that will make lasting improvements for children, young people, parents, carers and families with SEND.
- 1.2 On 12<sup>th</sup> January 2023, Claire Coutinho MP, Minister for Children, Families and Wellbeing, wrote to Kent County Council (KCC) to invite a representation of additional evidence on progress against the 9 areas of significant weakness and specific areas of concern raised by the Minister.
- 1.3 KCC developed an extensive representation evidence pack (*Appendix 1*), to demonstrate the system response and the activity undertaken since the Revisit, working closely with partners including Kent and Medway NHS Integrated Care Board, Education Sector, Kent Parents and Carers Together (Kent PACT) and Council for Disabled Children. This was submitted on 9<sup>th</sup> February 2023.

- 1.4 On 31<sup>st</sup> March 2023, alongside confirmation of the Improvement Notice (*Appendix 2*), which followed the Inspection Revisit, the Minister recognised the considerable recent work and effort to focus on services for children and young people with SEND in the Kent Local Area.
- 1.5 The Improvement Notice requires the local area to produce an Improvement Plan (Accelerated Progress Plan (APP)), which must cover the areas identified in the Revisit report, in addition to recommendations made by the Department, the work of the SEND Strategic Improvement and Assurance Board and plans to develop the capacity of the SEND case work team.
- 1.6 The development of an APP is an iterative process, involving collaboration between partners and advice from the Department for Education (DfE) and NHS England (NHSE) Improvement Advisers and the Independent Chair of the Strategic Improvement and Assurance Board. Partners worked closely together to capture actions which were already in progress and to identify new improvement actions which are needed. A detailed draft APP was submitted on the first DfE deadline of 12<sup>th</sup> May 2023.
- 1.7 Following feedback from the DfE and NHSE Improvement Advisers, partners were advised to prioritise the detailed actions into a high-level plan addressing key sub-themes within each area of weakness, similar in style to those produced in other local authorities. A revised draft high-level APP was submitted on 9<sup>th</sup> June 2023.
- 1.8 On 23<sup>rd</sup> June, partners received positive feedback on the draft APP from both DfE and NHSE advisers, together with acknowledgement for the hard work that had gone into putting the APP together. DfE provided final feedback and raised some outstanding questions and queries, which KCC responded to, submitting an updated version of the APP on 29<sup>th</sup> June.
- 1.9 On 4<sup>th</sup> July, the DfE noted the considerable work which had been undertaken and confirmed they would meet to provide further follow up on key sections and areas on evidence of impact. At the time of writing this report, formal approval is expected to be received shortly. The APP will be circulated to the SEND Scrutiny Sub-Committee as soon as it is signed off by the DfE, which may occur before the committee meets. Once approved the APP will be published on our Local Offer page, alongside a guide for children, young people and families, supported by planned communications in a range of channels.
- 1.10 The DfE have confirmed they will carry out an initial review of the Improvement Notice 6 months from the date of issue (in September 2023), and the APP will be reviewed 6 months from approval (likely to be around January 2024).

Partners have already begun to develop an evidence bank to prepare for the 6 month reviews, so we can demonstrate progress, and most importantly, impact for children, young people and families.

1.11 A timeline of the progress since the Inspection revisit is set out below.

**Figure 1: DfE process timeline**



## 2. The Accelerated Progress Plan (APP)

2.1 The APP is a high level, strategic plan which is our joint partnership commitment to work together across the Kent Local Area system to improve the lived experience for children and young people with SEND, and their parents, carers and families. It demonstrates how we are actively addressing all 9 areas of weakness, in addition to preparing for sustainable transformation and improvement, which we recognise is a long-term endeavour.

2.2 We are working collectively together to progress the actions, system and process changes needed to ensure SEND improvement. We are confident that the actions we have committed to are ambitious yet achievable, with the resources in place to deliver them, but we are realistic about the challenges ahead.

2.3 The APP follows a format advised by the DfE, based on good practice in other local authorities. The actions are structured against the 9 areas of significant

weakness (see below) in the Inspection Revisit. We have identified a Lead for each Area of Weakness who will provide professional expertise and challenge for their Area, who will provide expert advice on commentary in assurance reporting and work with responsible officers for individual actions.





### **The 9 Areas of Significant Weakness**

- 1) A widely held concern of parents that the local area is not able, or in some cases not willing, to meet their children's needs
- 2) A variable quality of provision and commitment to inclusion in schools, and the lack of willingness of some schools to accommodate children and young people with SEND
- 3) That parents and carers have a limited role in reviewing and designing services for children and young people with SEND
- 4) An inability of current joint commissioning arrangement to address known gaps and eliminate longstanding weaknesses in the services for children and young people with SEND
- 5) Poor standards achieved, and progress made, by too many children and young people with SEND
- 6) The inconsistent quality of the EHC process; a lack of up-to-date assessments and limited contributions from health and care professionals; and poor processes to check and review the quality of EHC plans
- 7) Weak governance of SEND arrangements across the EHC system at strategic and operational level and an absence of robust action plans to address known weaknesses
- 8) Unacceptable waiting times for children and young people to be seen by some health services, particularly CAMHS, tier two services, SALT, the wheelchair service and ASD and ADHD assessment and review.
- 9) A lack of effective systems to review and improve outcomes for those children and young people whose progress to date has been limited by weaknesses in provision.

2.3 For each area of weakness the APP identifies:

- The sub-themes which address key findings given in the Inspection Revisit letter (November 2022) on this area of weakness
- The actions we are taking to achieve improvement.
- Responsible owner for the action
- Specific end date to complete actions (milestones are being developed)
- Ratings for both progress and impact (see 2.4)
- How we intend to capture the evidence of our impact for children, young people and families – this will be further developed as we deliver the APP and shared with DfE as part of our 6-month review process.
- The Key Performance Indicators (KPIs) we are using to measure the success/impact of the actions. The KPI's are aligned to the APP Scorecard which is produced monthly for SIAB and will be published quarterly alongside contextual performance information and commentary.

- 2.4 Two BRAG ratings (Blue, Red, Amber, Green) are used to demonstrate progress on the action and impact of the actions on children and young people. The high-level definitions (definitions being further developed) are:

Red		Actions delayed and impact not being delivered
Amber		Actions on track and expected impact on track
Green		Action completed and early evidence of impact
Blue		Change is embedded, sustainable and ongoing evidence of impact

- 2.5 In addition to the 115 APP actions, the APP includes areas to build and consolidate our joint working, based on key areas identified by partners which they want to continue to work together on. It also provides a high level overview of risk and details on how we will measure performance.

### 3. SEND Case Work Team Capacity

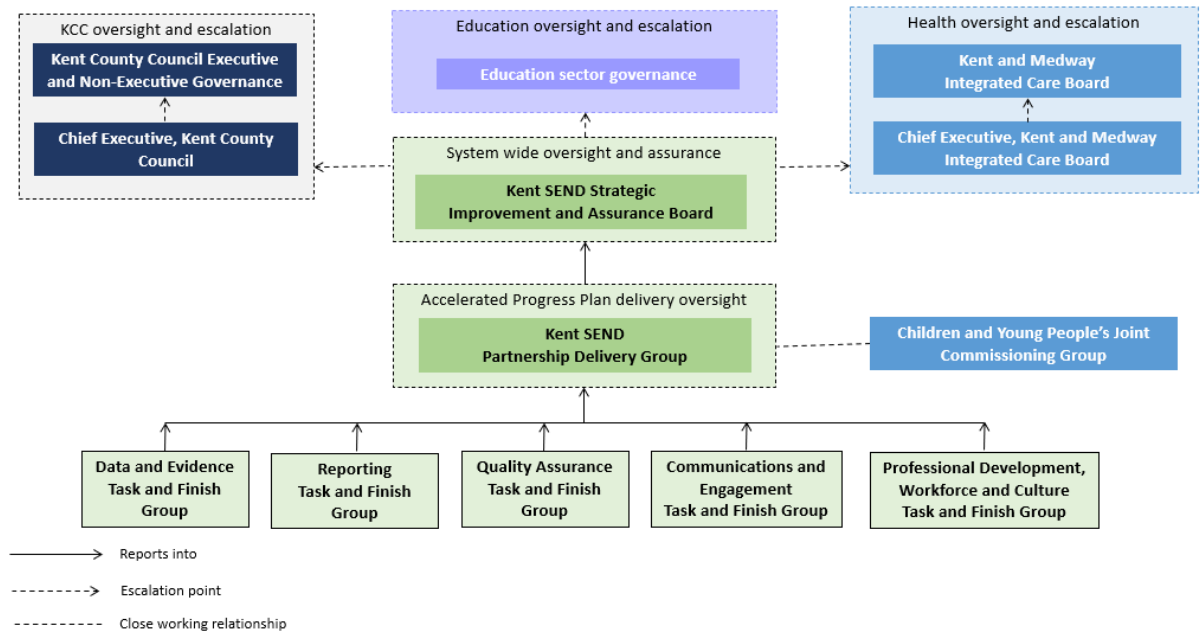
- 3.1 The Improvement Notice included a paragraph specifically related to the development of a plan within 6 months on the sufficient capacity of the SEND case work team to enable the effective delivery of the Education, Health and Care (EHC) needs assessment and review system, and to improve both the timeliness and quality of the EHC plans.
- 3.2 Officers have successfully prioritised recruitment and vacancies are reducing week on week. A robust reporting mechanism is being established that ensures all this data is refreshed weekly and held centrally, which will be operational by the end of July.
- 3.3 In addition, a proposal to strengthen the Annual Review backlog team and establish a Complaints backlog team and EHCP backlog team has been agreed in principle, with the level of investment now being considered.
- 3.4 The professional development programme has been reported on previously and this is informed by the findings of the Quality Assurance reviews, as well as the statutory requirements. The action plans for the SEND case work capacity have been shared with the DfE improvement advisers as part of our discussions on the APP, and progress will be updated at the 6 month review.

### 4. Governance

- 4.1 Oversight and assurance of the Accelerated Progress Plan is through the Kent SEND Strategic Improvement and Assurance Board (SIAB), which was established in January 2023. The Kent SEND Partnership Delivery Group (PDG) is collectively responsible for providing detailed oversight of progress and impact on the APP and is co-ordinating the mapping, tracking, and delivery of partnership actions.
- 4.2 The PDG is supported by 5 Task and Finish Groups: Data and Evidence, Reporting, Quality Assurance, Communication and Engagement and

Professional Development, Workforce and Culture. It also has a strong connection with the Children and Young People’s Joint Commissioning Group, which plays a key role in the delivery of many APP actions and also reports into the Partnership Delivery Group.

**Figure 2: SEND governance arrangements**



4.3 The PDG is responsible for reviewing the monthly monitoring information to provide action on areas for challenge and concern in APP delivery to SIAB on a monthly basis. The PDG produce a monthly APP Assurance Report for SIAB, which is shared with DfE bi-monthly. This provides commentary and analysis for each area of weakness, including analysis of progress and impact action ratings, set in context of performance information provided in the APP Scorecard. PDG also produce a monthly Exception Report for SIAB, to ensure that any issues are swiftly escalated and resolved with systems leaders.

4.4 To inform the Assurance Reporting, information is being gathered from all responsible action owners on a monthly basis, including confidence levels for improvement and any key risks to delivery.

**5. Next steps**

5.1 Work has been reviewed and continued since the Inspection Revisit, as the work on developing the contents of APP has continued and monthly reports have been made to SIAB, which includes opposition Members in addition to the Cabinet Member for Education and Skills and Cabinet Member for Children’s Services. Representatives from DfE and NHSE are also invited to attend.

5.2 Once the APP is approved, partners will be ensuring that the plan is well-communicated and understood with planned communications as part of the SEND Communications and Engagement Strategy. The intention is to use the



Local Offer page to ensure we communicate our progress and evidence of impact.

5.3 Following the first round of APP reporting in early July (June was a baseline position, based on the draft APP at this time), the PDG is using reporting data to monitor progress and take action on improvement where needed. It is important that reporting is an enabling process to quickly identify and act on insights, not a bureaucratic burden. The Reporting Task and Finish Group has designed automated reporting and live dashboards to ensure it is as quick and simple as possible for partners to provide reporting information, and this process will be further refined over the summer. This will include analysis of end dates, to ensure we have a realistic and accurate view of progress and development of clear milestones for all actions over the summer, so we know we are on track for the long-term improvement needed.

5.4 As we deliver the APP, we are developing the evidence of impact, so that during our 6-month reviews with the DfE we can demonstrate a range of evidence about the impact and the difference we are making for children, young people and families across each area of weakness. This evidence will be from a wide range of sources including quantitative data, qualitative data, evaluations, survey findings, commissioning and project plans.

## **6. Recommendations**

6.1 The SEND Scrutiny Sub-Committee is asked to **note** the contents of the report.

## **7: Background documents**

- Appendix 1: Representation Evidence Pack (February 2023)
- Appendix 2: Improvement Notice (March 2023)
- Accelerated Progress Plan – To be published when approved by DfE (Expected July 2023)

## **8: Report Author**

Responsible Director:

Christine McInnes, Director of Education and SEND,  
email:christine.mcinnnes@kent.gov.uk, telephone: 03000 418913

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# Kent County Council

## SEND Transformation

### Local Authority Representation to the Department for Education

February 2023



#### **Purpose:**

This representation sets out Kent County Council's (KCC) strategic narrative and supporting evidence for our SEND Transformation improvement. This includes our progress for all areas for improvement outlined in the Ofsted/CQC Inspection Revisit Report, the draft Improvement Notice, and feedback from the Department for Education on priority areas for improvement, as requested by Claire Coutinho MP, Minister for Children, Families and Wellbeing on 12<sup>th</sup> January 2023.

Sponsor: David Cockburn, Chief Executive

SRO: Sarah Hammond, Corporate Director, Children Young People and Education

Author: Liz Sanderson, Strategic Lead – Strategic Reset Programme

Version control			
Version	Date	Author	Changes
v.0.1	01/02/23	LS	Initial draft for SH review
v.0.2	02/02/23	LS	Updated draft to DC
v.0.3	03/02/23	LS	Final draft to DC
v.0.4	07/02/23	LS	Updated draft following stakeholder feedback
v.1.0	08/02/23	LS	Final draft following further stakeholder feedback
V1.1	08/02/23	LS	Final copy following Leader and Cabinet Member input

## Purpose

In 2019, Ofsted and CQC carried out an inspection of Special Education Needs and Disability (SEND) services in the Kent Local Area, identifying nine areas of significant weakness. KCC put in place an Improvement Board and Written Statement of Action Improvement Plan in response to the inspection findings.

The Inspection Revisit was undertaken in September 2022. The Kent Local Area SEND Services Ofsted and CQC Revisit Report was published on 9<sup>th</sup> November 2022, which highlighted that Kent had failed to make sufficient progress in any of the nine areas of significant weakness.

We accepted and agreed the Inspection conclusions and positively engaged with the Department for Education to demonstrate our absolute strength of commitment to improvement and intention to prioritise the necessary actions as a critical priority for the Council. The Leader swiftly changed the Cabinet Member portfolio to ensure there was a dedicated focus on SEND, held by the Cabinet Member for Education and Skills. The SEND Transformation Programme within KCC's Strategic Reset Programme (SRP) is making the decisive actions for swift and sustainable improvement, supported by robust leadership and governance.

On 12<sup>th</sup> January 2023, the letter from Claire Coutinho MP, Minister for Children, Families and Wellbeing, requested a written representation from the Council to inform the Department for Education's final decision on the Inspection Revisit outcome. A draft Improvement Notice was shared with KCC and key partners, including NHS and Kent MPs, which is clear on the priority areas for improvement, which forms the foundation for our representation.

It is essential that we respond to the feedback we have received and ensure our activity is directly aligned with all our areas of significant weakness to demonstrate the strength and scale of our leadership commitment for improvement to support children, young people, and families in Kent.

The evidence in this representation, and our covering letter to the Minister, emphasises the rapid improvement which services and partners have worked hard together to achieve with pace and impact over the last few months. A renewed focus since the Revisit has enabled us to be very clear and specific about our detailed plan to progress SEND Transformation.

This representation forms our strategic narrative for improvement, so everyone involved in supporting children, young people and families in Kent is clear about what needs to be achieved and we can demonstrate how evidence is being used by leaders to evaluate the SEND system, particularly the experience and outcomes for children and young people.

## Contents

### **Part A: Strategic narrative for SEND Transformation**

*This section sets out KCC's strategic commitment and corporate grip for SEND Transformation, as part of a whole council and whole system response.*

- A1. The voice and lived experience of children, young people, families, and carers (p.6)
- A2. Leadership Response (p.12)
- A3. Partnership Response (p.16)
- A4. Management Response (p.23)
- A5. Governance and Decision Making (p.30)
- A6. Culture and Workforce (p.35)
- A7. Communications and Engagement (p.39)
- A8. Complaints and Customer Feedback (p.43)
- A9. Programme and Project Management (p.45)
- A10. Financial Sustainability (p.49)
- A11. Outcomes, Impact and Performance Management (p.52)
- A12. Risk Management and Mitigations (p.56)

### **Part B: Response and evidence of impact on the Minister's priorities for improvement and Draft Improvement Plan**

*This section directly responds to the priorities for improvement within the next 6 weeks, as set out in the letter from Claire Coutinho MP, Minister for Children, Families and Wellbeing, Department for Education on 12<sup>th</sup> January 2023 and the draft Improvement Plan.*

- B1. Parental confidence to meet children's needs (p.60)
- B2. Quality of provision and commitment to inclusion in schools (p.63)
- B3. Area wide ambition for children and young people with SEND (p.66)
- B4. Waiting times for children on the neurodevelopmental pathway (p.68)
- B5. Timeliness and quality of EHC Plans (p.72)

### **Part C: Response to the nine areas requiring significant improvement**

*This section directly responds to the nine areas for significant improvement outlined in the Ofsted/CQC Inspection Revisit Report.*

- C1. A widely held concern of parents that the local area is not able, or in some cases not willing, to meet their children's needs. (p.78)
- C2. A variable quality of provision and commitment to inclusion in schools, and the lack of willingness of some schools to accommodate children and young people with SEND. (p.81)
- C3. That parents and carers have a limited role in reviewing and designing services for children and young people with SEND. (p.85)
- C4. An inability of current joint commissioning arrangement to address known gaps and eliminate longstanding weaknesses in the services for children and young people with SEND. (p.88)

- C5. Poor standards achieved, and progress made, by too many children and young people with SEND. (p. 91)
- C6. The inconsistent quality of the EHC process; a lack of up-to-date assessments and limited contributions from health and care professionals; and poor processes to check and review the quality of EHC plans. (p.93)
- C7. Weak governance of SEND arrangements across the EHC system at strategic and operational level and an absence of robust action plans to address known weaknesses. (p.95)
- C8. Unacceptable waiting times for children and young people to be seen by some health services, particularly CAMHS, tier two services, SALT, the wheelchair service and ASD and ADHD assessment and review. (p.97)
- C9. A lack of effective systems to review and improve outcomes for those children and young people whose progress to date has been limited by weaknesses in provision (p.101)

Acknowledgements (p.103)

Accountable Owners (p.104)

This representation includes:

- Recognising our need for improvement in DfE/Inspection Revisit feedback
- Recent progress from the Inspection Revisit September 2022 to February 2023
- Actions to demonstrate pace since 2023
- Actions for 3 to 18 months
- Accountable Owner/Lead
- Examples of key performance indicators and measures of impact

## Part A:

### Strategic narrative for SEND Transformation



*This section sets out KCC's strategic commitment and corporate grip for SEND Transformation, as part of a whole council and whole system response.*

- A1. The voice and lived experience of children, young people, families and carers
- A2. Leadership Response
- A3. Partnership Response
- A4. Management Response
- A5. Governance and Decision Making
- A6. Culture and Workforce
- A7. Communications and Engagement
- A8. Complaints and Customer Feedback
- A9. Programme and Project Management
- A10. Financial Sustainability
- A11. Outcomes, Impact and Performance Management
- A12. Risk Management and Mitigations

## **A1. Children, Young People and Families Voice and Lived Experience**

### ***Recognition of areas for improvement***

We wanted to begin our representation with the most important theme raised in our Inspection Revisit feedback – the voice and lived experience of children, young people and their families. Parents expressed that they do not feel involved in making decisions about their child, and that their children's views and needs are not considered or reflected in EHC plans and annual reviews. On an individual level, co-production with parents, carers, children and young people is still not always achieved through the EHC assessment, planning, and annual review process.

While the membership of parent-carer forum Parents and Carers Together (PACT) has grown, we recognise our children, young people, parents, carers, and families participation reach, and their role in reviewing and designing services, is currently limited. Although parents appreciate and value the support groups for children and young people with SEND and their families, these groups do not currently influence strategic decision making.

### ***Progress from Inspection Revisit 2022 to February 2023***

- 1.1 We have an unequivocal commitment to a focus on the lived experience for children and young people with SEND, and their families and carers. We have already demonstrated our full commitment to this in the services we provide for vulnerable and at-risk children in Kent's Children's Services and this was highlighted in Kent's Outstanding Ofsted judgement in May 2022. We want to develop the same clear shared vision for children and young people with SEND and their families within the Kent Local Area and extend opportunities for participation and meaningful engagement in order to improve services.
- 1.2 Our local research on Post 16 Pathways for All demonstrated a lack of aspiration as being an issue for Kent. Work is underway with Dr Tony Breslin, a new independent chair of the Pathways for All Board, to raise aspirations and improve pathways for young people. We need to extend this work to pre-16 to be more focused on children and young people's aspirations and their long-term trajectory in reaching their full potential. We will support young people's aspirations for independence in their future adult life, while respecting there will always be a small cohort with complex health, learning, and care needs who require intensive support throughout their lives.
- 1.3 We are working more closely with parents, families, and carers on their expectations for their children's future and to understand the intensive societal pressures, importance of early identification, and different parenting and attachment styles which impact on children and young people who are identified with SEND. The refresh of our SEND Strategy will provide an opportunity to set this more ambitious direction of travel (Part B3).
- 1.4 We understand that children and young people's experience is impacted by the societal changes and trends around them, which mean their needs are



continually evolving and we need to understand their lived experience through direct and ongoing engagement.

- 1.5 Their voice and lived experience is a theme which is intrinsic to all the sections of our strategic response in Part A, particularly Leadership (A2), Governance and Decision Making (A5), Communications and Engagement (A7), Complaints and Customer Feedback (A8), and Outcomes, Impact and Performance (A11).
- 1.6 This focus on children, young people and families is now at the core of our culture, workforce development and quality assurance approach (A6), the priorities within our new SEND Communications and Engagement Strategy (A7), and our SEND Transformation projects (A9).
- 1.7 To ensure our actions are based on informed evidence, not assumptions, we are fully committed to acting on meaningful qualitative and quantitative data, which is collected systematically. We have already started sourcing this from children, young people, and parental participation, universal and targeted engagement, customer feedback, customer process improvement, surveys, and social media analysis. We are creating specific measures that will evidence improvements and evidence of impact in people's experience both within KCC and with our partners (A7 and A11).
- 1.8 We have secured the agreement from DfE to receive support from the Council for Disabled Children through the RISE programme to deliver better engagement with children, young people, and their families, which began on 30.01.23. This will ensure that we put the experience and aspirations of disabled children and young people into the heart of our further improvement.
- 1.9 We have hardwired participation and engagement into our new SEND Transformation governance arrangements, including the establishment of a dedicated Operational Group which focuses on the experience for children, young people, and families. On 18.01.23 at our first partnership/system improvement and assurance board, partners across Kent unanimously agreed the importance of maintaining a focus on the impact on the experience of children, young people, and their families and that the voice and representation of children and young people was essential to their system-wide improvement (A5).
- 1.10 Deborah Glassbrook, our Independent Chair sourced from the Local Government Association, is advising on best practice to ensure that all partners are primarily focused on children and young people and will ensure their voice is directly represented at the new Kent SEND Strategic Improvement and Assurance Board. This will include opportunities for children, young people and their families in co-production and development of improvement activities and reviewing Key Performance Indicators to reflect what is important to them. From February 23, Jo Carpenter, our Participation Manager will be a standing

member of the new Kent SEND Strategic Improvement and Assurance Board, with an open invitation for children and young people to engage with the board.

- 1.11 In November 22, DfE recognised KCC as a Family Hubs Transformation Authority and has since shared that we will be a Family Hubs Trailblazer. From December 22 to February 23, we have been collaborating with DfE to enhance our Family Hubs Delivery Plan, which sets out how we will implement a coherent, Start for Life offer to provide seamless support to all families, including SEND services. In this, the family voice is central to the Early Help assessment, the development of the family plan and reviews as the support for the family progresses.
- 1.12 Practitioners will base their work on the development of purposeful relationships and creative direct work to gain a sound understanding of the child's voice, wishes and feelings within their family network. Feedback from families will form a key part of our quality assurance and audit framework demonstrating that the family voice is central to the effectiveness and impact of Family Hubs services for SEND.
- 1.13 In 2022, Ofsted recognised Kent's excellent record of co-production and participation into all aspects of Children's Services. Family Hubs will grow those existing opportunities for successful co-production and service user voice. We are analysing feedback from parent groups and panels including SEND, young people's panels, Children in Care and Foster Carer Ambassadors, celebrating Kent's approach to whole family working, and recognising that families' voices are heard at all ages and stages.
- 1.14 Additional local materials will be co-produced following feedback from parents and carers in our community through the parent/carer and SEND participation groups and the SEND Local Offer. We have committed to creating parenting groups that are inclusive to Disabled Children hosted in the Family Hubs, including increased sensory environments, building on families' feedback and Disabled Children's Services expertise.
- 1.15 Our Children's Commissioning team have supported the development of a Framework for Lived Experience Joint Guidance document between KCC and the Integrated Care Board for employed Lived Experience Workers, to support workers when challenged on professional boundaries and expectations, including confidentiality concerns of other employed workers. This is being presented to ICB's Kent and Medway Children and Young People's Programme Board in March 23.
- 1.16 In our shared work with Adult Social Care on pathways to support and transition for young people with SEND, we are taking a strengths-based model which is more focused on the experience of young people and their aspirations for the future. In the education and skills sector, this is being supported by improvements driven by the Pathways for All Board. A key part of this is managing parents' and caregivers' expectations, working with the whole family on transition planning for the young person's long-term trajectory to

independence. Although this is in early stages, there is a real commitment to a greater focus on qualitative experience and participation, so we are focused on outcomes for young people, not just process and procedures.

- 1.17 This dedication to a successful transition for young people with SEND was also demonstrated at our conference on 10.01.23 with the Further Education Sector, where we focused on participation and committed to actions which reflect young people's personal ambitions for their adult life.
- 1.18 NHS Kent and Medway are fully committed to a focus on the lived experience and have established dedicated participation leads (based in KCC and voluntary sector organisations), a lived experience lead for mental health, and resources that contribute to children, young people, and family voice/engagement. These engagement/voice experts work alongside other practitioners, including KCC's Lived Experience Experts and providers' own participation/engagement leads, to deliver engagement/voice groups and activities, which is reflected in the NHS Children, Young People and Young Adults' Local Transformation Plan.
- 1.19 This will also support the work to enhance the voice of children and young people in the Kent and Medway Integrated Care Board (A3). Health's Lived Experience Leads are developing a new Lived Experience Strategic Framework for the system, which will be discussed at the Kent and Medway Children's Programme Board in March with a view to agreeing the next stage of voice/engagement in all children's work across the system.
- 1.20 Specific Health-led SEND lived experience groups include Parent Carer Voice (parents with children with additional needs working together to challenge and encourage change), Making It Work (piloting new models of support in schools and health systems for children waiting for neurodevelopment diagnostic assessments), and Together with Parents (parent support programme through delivery of parental peer support models).
- 1.21 Since September 22, KCC and Health have jointly delivered a BIG Mental Health conversation, which brought together groups of children and young people to talk about themselves and their communities. We have worked with the Mental Health Campaign Group to develop and distribute 20,000 copies of the Mental Health Friends Handbook and set up the Young People's Network for young people aged 16-25, parents or carers, to share anonymous feedback on their experiences of mental health services. A Young Autistic Expert Panel is also now recruiting children and young people aged 12-18 years to share ideas to improve training in nurseries, schools, and colleges.
- 1.22 The newly commissioned Together with Parents service is going from strength to strength, delivering support for families Kent wide that builds resilience and self-help strategies, with lived experience and co-production at the heart. The contract commenced in May 22, jointly funded by KCC and the ICB, working in

partnership with local Voluntary Community Sector services to ensure effective wraparound support for families. At the time of the Revisit, the service had 128 referrals accepted and by 20.12.22 a further 242, meaning that 370 families have been referred.

1.23 Feedback from families to date has been very positive and this year we will be working at developing district-based workshops bringing together health and social care partners as well as representatives from the VCS to support parents and families as they consider moving towards diagnosis. The connection to the Neurodevelopment pathway is set out in B4.

**Feedback from children, young people, and families on Together with Parents**

- “Just wanted to say thank you really. We are at the end of our time with early help, and I was little worried about what support we was going to have as we have some challenging times ahead of us. When you first came out to see us, I was little nervous, but you made me feel at ease. You’re a really easy person to talk to and it’s nice to feel I’ve got some support there”.
- “You’re always there to help and look into some advice and what there is to offer out there for us which may help us. You always listen and help to reassure what is happening is ok and I’ve got this. So, thank you so much for all your support so far”.
- “The service you offer really does helps parents feel like they are not alone in this. There are long waiting lists for certain help, so I think it’s fantastic services to help parents. Being left and a little lost on what to do next is hard. It’s nice to know there is people out there to help”.
- “I feel calmer and more empowered. It feels so nice to have someone who understands”.
- “You are the first adult who has helped me explain how I feel about things that go on in my brain” – Child 11 y/o. Parent stated that had concepts been explained clearly sooner by someone, lots of issues would be avoided”.
- “Thank you for being so patient with my husband, no one else has sat down and been patient with him about his views they have just disregarded him”
- “You have helped me balance my life and adapt to going back to college with my children”

***Actions to demonstrate pace since 2023***

Action	Owner	When
Children and young people participation in assurance governance	SH	Feb 23
Initiate discovery work with the Council for Disabled Children	SH	Feb 23
Define measures that reflect children and young people’s experience	KA	Mar 23
Define expected impact and outcomes on children, young people, and families’ experience	SH	Mar 23
Kent and Medway Children’s Programme Board session on Lived Experience Strategic Framework	SM	Mar 23

***Actions from 3 to 18 months***

Action	Owner	When
Dedicated session on voice and lived experience at the Kent SEND Strategic Improvement and Assurance Board	JC	Apr 23

Agree a timetable for governance boards to consider the voice of children and young people on key priorities and to evaluate the resulting change in services	JC	Apr 23
Review of participation in SEND Transition at different age stages	SA	May 23
Co-production and engagement within Family Hubs Delivery Plan	SC	Jun 23

**Accountable Owner:** Sarah Hammond, Corporate Director of Children, Young People and Education

**KCC Lead:** Jo Carpenter, Participation Manager

## **A2. Leadership Response**

### ***Recognition of areas for improvement***

We recognise that it is important for us to demonstrate leadership as the accountable Local Authority. In the Inspection Revisit, leadership in the Kent Local area was deemed weak due to continuous staffing changes, the range of projects and plans at varying stages, a major lack of communication, and the impact of COVID. Leaders acknowledged that fractured, complicated, and changing systems have contributed to families' negative experiences. While pathways exist for information to reach and to be considered by leaders, the information being shared is not routinely of good quality, which compromises discussions, evaluations, and further planning.

### ***Progress from Inspection Revisit 2022 to February 2023***

- 2.1 As demonstrated in our letter of 05.12.22, we have an absolute commitment to enhanced Local Authority and system leadership for SEND. David Cockburn, Chief Executive, immediately strengthened our strategic leadership capacity and capability and insisted on an urgent review of our SEND leadership to drive the necessary improvement at pace. This included reviewing how the senior team operates and where the responsibility for services should lie.
- 2.2 There was also decisive action from a political leadership perspective, with the Leader's appointment of Cllr Rory Love, Cabinet Member for Education and Skills as the SEND portfolio holder. Cllr Rory Love fully supported the Chief Executive's decision that as the leadership review was undertaken, SEND responsibility would move to Christine McInnes, Director for Education, which quickly demonstrated positive benefits of experienced leadership through an enhanced focus on inclusion and engagement with the education sector.
- 2.3 In response to the Chief Executive's direction, Sarah Hammond, Corporate Director for Children, Young People and Education, led the development of a new leadership model for SEND, to strengthen and refocus the Children, Young People and Education (CYPE) leadership team with a top-tier restructure. This will delete the two Director roles for Director - Special Educational Needs and Disability and Director - Integrated Children's Services and create three new Director roles: Director - Education and SEN, Director – Operational Integrated Children's Services, and Director – Children's Countywide Services. The new Director roles will provide an increased focus on, and consistency in, SEND professional practice. All new Director job roles include specific references to their leadership responsibilities to collaborate to meet the needs of children and young people with SEND.
- 2.4 Sarah Hammond led progressing the leadership change with strong political support, and the new model was endorsed by KCC's Personnel Committee on 24.01.23. We are implementing changes with immediate effect, with formal ratification by the County Council expected on 23.03.23. Further detail on managerial leadership, including the new Director - Education and SEN role, is set out in Part A4. We are committed to embedding systems to enable leaders to have a clear view on the impact of improvement, consider data that is robust and

appropriate and evidence how this intelligence is being used to improve services.

- 2.5 It is essential that SEND improvement is collectively owned with strong corporate grip, as part of a whole Council response. The collective support from the entire Corporate Management Team is demonstrated by SEND Transformation being prioritised in November 22 as the most critical transformation programme within the Strategic Reset Programme (SRP), which prioritises the highest priority, most complex change programmes with significant risk for the Council (A5). The whole Council commitment is also demonstrated through named accountable KCC leads for each of our SEND transformation projects (A9).
- 2.6 SRP has ensured that SEND Transformation brings together our Ofsted/CQC Inspection improvement, including all nine areas of significant weakness, alongside our critical work with DfE on Safety Valve to rebuild our financial sustainability and tackle the financial deficit in SEND services. Sarah Hammond is the joint Senior Responsible Officer (SRO) for the programme, alongside John Betts, Financial Consultant who is SRO for Safety Valve. Together they have embraced the whole Council approach through SRP to drive and deliver on the improvements required for SEND. SRP also oversees our Children's Transformation and Future Asset programmes, ensuring that work with DfE as a Family Hubs Transformation Authority is also fully aligned with SEND Transformation.
- 2.7 There is a commitment from the senior leadership team to develop the ownership and awareness of SEND data, by more regularly considering this from a whole council response, for example Joint Strategic Needs Assessment data. The first spotlight session on data will be at SRP Programme Board on 02.03.23.
- 2.8 Since July 22, the SRP Team has provided additional programme management support for the SEND Transformation programme team. In January 23, David Cockburn, Chief Executive and Amanda Beer, Deputy Chief Executive, prioritised further strategic capacity and expertise to ensure that the programme has the full support of the senior leadership team. We are already seeing the benefits of stronger corporate leadership in enhanced programme and project management (A9) and effective escalation and issue resolution, such as recruitment (A6), complaints (A8), and data quality (A11). This will continue to further strengthen and mature our arrangements in our improvement journey.
- 2.9 Alongside our Officer Leadership, our Executive leadership commitment to SEND Transformation has been led by Cllr Roger Gough, Leader of the Council, and Peter Oakford, Deputy Leader. The Leader swiftly introduced a dedicated Cabinet Portfolio for SEND, which now sits with Cllr Rory Love, Cabinet Member for Education and Skills. A former Leader of Folkestone and Hythe District Council, Cllr Rory Love brings extensive experience at local, national and international levels to this post. He has facilitated and led improvement and transformation in local authorities across England through the Local Government Sector-Led Improvement Programme, in his role as a Member Peer at the Local Government Association (LGA). He is a member of the Kent SEND Strategic

Improvement and Assurance Board. Sarah Hammond has worked closely with the Cabinet Member to inform and support his role to drive the political priority for SEND.

- 2.10 The Executive’s collective commitment to SEND has been demonstrated by regular updates on progress for Cabinet Members (15.11.22, 29.11.22, 07.12.22, 17.01.23, and 25.01.23). In addition to a Cabinet item on SEND on the Inspection Revisit and SEND Transformation Programme (01.12.22), County Council item on actions in response to areas of weakness and addressing funding deficit (15.12.22), and Cabinet item on the Strategic Reset Programme (26.01.23).
- 2.11 The Non-Executive engagement and oversight of SEND has also been enhanced, with a SEND standing item at each CYPE Cabinet Committee (13.09.22, 12.10.22, 29.11.22, 17.01.23) and a discussion with Scrutiny Committee on Scrutiny’s role in relation to SEND provision (07.12.22). On 25.01.23, a new SEND Scrutiny Sub-Committee was agreed which will provide dedicated oversight for improvement (A5). KCC’s Governance and Audit Committee have also considered progress on SEND (15.11.22 and 26.01.23). Sarah Hammond has requested that the Chair agrees that a summary of the progress from the SEND Transformation Strategic Board and Kent SEND Strategic Improvement and Assurance Board are provided to CYPE Cabinet Committee and providing a full report to the Scrutiny Sub-Committee.
- 2.12 Our whole Council leadership response to SEND includes better aligning our improvements in SEND Transport with SEND Transformation. This is an essential part of our trio of service delivery, commissioning, and provider responsibilities around Education Access, SEND provision, and Home to School Transport. Following an Internal Audit lessons learned report and the Governance and Audit Committee item on the management response (15.11.22), the Corporate Management Team discussed collective actions (26.07.22 and 08.11.22), leading to more joint working on this important issue.
- 2.13 On 01.02.23 the SEND Transformation team and the Growth, Environment and Transport (GET) Directorate agreed multiple positive opportunities to join up and align activities on SEND Transport. There was a real willingness and enthusiasm to better connect the SEND Transport improvement projects into the SEND Transformation programme and the SEND Transport team will now be represented in our Operational Groups to join up delivery and make stronger connections between services.

***Actions to demonstrate pace since 2023***

Action	Owner	When
CYPE leadership changes endorsed by Personnel Committee	SH	Jan 23
Chief Executive role in governance arrangements strengthened	DC	Jan 23
Strategic Reset Programme enhanced strategic programme support	AB	Jan 23
Strategic Reset Programme Board prioritisation and leadership direction	AB	Feb 23
Map dependencies on improvement projects with SEND Transport	LH	Feb 23
CYPE leadership changes ratified by County Council	SH	Mar 23



**Actions from 3 to 18 months**

Action	Owner	When
New CYPE leadership model goes live	SH	Apr 23
Define how SEND Transport changes align with SEND Transformation	LH	Apr 23

**Accountable Owner:** David Cockburn, Chief Executive

**KCC Lead:** Sarah Hammond, Corporate Director of Children, Young People and Education

## A3. Partnership Response

### ***Recognition of areas for improvement***

We recognise that many of the significant issues we face within SEND are shared challenges at a system and partnership level, which we cannot solve in isolation from our local partners. We are committed to working on our improvement journey together, at both a local and national level. We accept the Ofsted/CQC findings that there was an unacceptably weak understanding, across the range of stakeholders, including those who are charged with delivering and managing provisions and services, of the gravity of the unsustainable position that the Kent area is in.

### ***Progress from Inspection Revisit 2022 to February 2023***

#### National and regional partners

- 3.1 Kent has actively pursued the support of independent expertise, oversight, and challenge to inform our partnership and system response to SEND transformation. It is important that we build on the experience of our peers across the local government sector to inform our improvement journey.
- 3.2 We have embraced the expertise of sector-led support from the Local Government Association (LGA), forming a positive relationship with Deborah Glassbrook, LGA's SEND Improvement Adviser, who is the Independent Chair for our new assurance arrangements and sharing expertise on governance, participation, and whole system communication and engagement.
- 3.3 In January 23, Sarah Hammond and Cllr Rory Love facilitated key sessions with Deborah Glassbrook to review our governance, representation, and alignment with political oversight. We were delighted to have proactively secured the LGA's support for our urgent work to extend our participation and inclusion reach with the Council for Disabled Children, which began on 31.01.23.
- 3.4 We value the independent review and expertise to share best practice from the South East Sector Led Improvement Programme (SESLIP), such as working together on a review of EHCP processes and family experiences (B5). We expect and welcome continued engagement and oversight at a national level, and have asked for a change in our DfE and NHS England Advisors to support us on this next phase of our improvement journey.
- 3.5 Cllr Rory Love has personally facilitated further engagement through his experience and involvement in Sector-Led Improvement with the LGA, including with London Boroughs. Sarah Hammond is already connected with a national professional network of peers, including learning from the experience of those who are already in the improvement process, e.g., Devon County Council. We are proposing a peer review with our partners in Portsmouth and West Sussex, including a whole day dedicated to SEND.

### Kent Local Area partners

- 3.6 Our local partners are fully committed to supporting improvement across the whole Kent Local Area, but we recognised that the former multi-agency SEND Improvement Board was not fit for purpose to lead our Kent local area system and partnership improvement. We have abolished the former arrangements and on 18.01.23 we held a SEND assurance discussion with partners, led by Deborah Glassbrook as Independent Chair, to shape the new arrangements. Partners fully supported the need to create a new Kent SEND Strategic Improvement and Assurance Board, which will be supported by a Kent Partnership Delivery Group to take forward detailed partnership activity (A5), with the first meetings scheduled in February 23.
- 3.7 New Terms of Reference are being refreshed for our governance arrangements to address gaps in representation, including Education Sector, Early Years, and Adult Social Care who have previously been under-represented. In January 23 we clarified the relationship, role, and purpose in relation to other partnership governance arrangements (e.g., NHS Kent and Medway governance) and this will co-ordinate our joint partnership activity for improvement, with rigorous oversight and monitoring of impact.
- 3.8 In January 23, Health, Kent PACT, and Kent Special Educational Needs Trust, alongside KCC's SEND Service, Education, and Marketing and Resident Experience, and Commissioning teams, all provided information on partnership actions in progress and potential KPIs across all 9 areas for significant improvement. These are referenced in Part B and C. Appreciating the importance of parents and carers participation, Cllr Rory Love informally engaged with Kent PACT.
- 3.9 KCC are committed to supporting a more systemic and consistent approach to the impact of SEND improvement across the Local Area system. By this we mean how we plan, evaluate and develop the understanding of dependencies and implications of partnership activity across different parts of the system. Christine McInnes, Director of Education and SEN will lead a systematic approach, including more consistent framework standards, systems to capture the voice of children, young people and families and robust reporting tools to provide visibility and transparency for our new partnership assurance arrangements (Part A5).

### Education partners

- 3.10 The partnership response with our education sector partners – including Early Years, Mainstream and Maintained Schools and Academy Trusts, Special Schools, Independent Settings and Post 16 – are essential to our system improvement and commitment to inclusion (B2 and C2). We have also demonstrated our commitment to financial sustainability to continuing to work closely with the Schools Funding Forum (A10).

- 3.11 Christine McInnes, Director of Education and SEN, is leading a review of our strategic engagement and representation, strengthening our relationship across the whole education sector. Further information on Christine's role and expertise is set out in Part A4. We have recognised the need to further enhance education sector representation in our governance arrangements and this will be extended in February 23.
- 3.12 SEND school place sufficiency is critical and two dedicated staff came into post in November 22, undertaking detailed work on pupil place planning to enable a more strategic approach. This work includes projections on pupils we expect to attend mainstream school, those needing additional support through a Specialist Resource Provision, a smaller cohort who benefit from a special school satellite and the most complex group of pupils that need the support of a special school, be that maintained or in the independent sector. We are actively working with our education partners to improve the quality of provision and improved value for money in the independent sector driven through the introduction of a dynamic purchasing system in a joint commissioning project (C4).
- 3.13 Other work with partners to support the sufficiency strategy include a review of Specialist Review Provision to establish a consistent approach to commissioning and evidence gathering, clarification of the role of satellite schools and a review of the admissions criteria for special schools so that these places are prioritised for children and young people who have the most complex needs.
- 3.14 The extensive work underway to develop consistent SEND inclusion practice in mainstream schools is critical to the success of the strategy. Over this academic year, a clear defined expectation of all schools will be development in consultation with the sector, published and applied through a local peer moderation process. The Early Years and School Improvement Service Level Agreements are being reviews to ensure a strong focus on inclusion. This will be essential to our priority to ensure more children and young people have the support they need near to where they live, in their local community.
- 3.15 Post 16 is an important part of the education system and work is underway through Pathways for All to strengthen provision in the sector. We are fortunate in Kent to have three well-regarded Further Education colleges, one of which is Outstanding (East Kent College Group), that we work closely with to support our strategic planning for education places for young people with EHCPs.
- 3.16 We are particularly pleased to work with East Kent College, Mid Kent College and North Kent College, including at a conference with sector leaders. This served as an excellent platform to explore and discuss Kent's vision for young people with SEND and decide how pathways to independence could be further

developed within our mainstream colleges and local area, to improve the transition for young people with SEND into post 16 provision.

- 3.17 We have a strong, established, and highly valued relationship with Kent Association of Headteachers, who are a crucial part of our new Kent SEND Strategic Improvement and Assurance Board. We are committed to continuing to work closely together, with the relationship led by Christine McInnes, with proactive support from the Cabinet Member.
- 3.18 Building on our work with Kent Association of Headteachers, we also met with 32 Chief Executives of Academy Trusts in Kent who demonstrated their willingness to work together on SEND improvement, holding two events on 25.11.22 and 02.12.22. The Chief Executives valued the opportunity to work through challenges on the previous lack of engagement and gave suggestions for how this could be addressed. They committed to regular events on SEND and Christine McInnes will send frequent communications.
- 3.19 We recognise the vital importance of early years in SEND services, particular in terms of early identification, school readiness, and family support. In Kent, Early Years services and support are commissioned from our wholly-owned trading company The Education People (TEP) by the Director of Education and SEN.
- 3.20 In November 22, Christine McInnes commissioned a professional educational training, coaching, and consultancy company (SJ EduCoach) to undertake an Early Years Stakeholder Engagement review, which reported in December 22. We wanted to ensure the Early Years sector was part of this work to support the delivery of SEND inclusion. All stakeholder groups referred to the hard work of Early Years staff throughout the engagement and a range of effective systems, procedures, and practices were cited throughout the county.
- 3.21 In January 23 we built on the stakeholder engagement findings and initiated an Early Years Review with Children's Commissioning to understand the quality and impact of the early years childcare and education provision in Kent, in relation to SEND and inclusive practice. By July 23, this will produce evidence-based recommendations about future developments of the provision. We are in the process of engaging an academic research partner to learn from best national and international practice in early years education and childcare.
- 3.22 We will use the insights from the Early Years Review to develop an Early Years education strategy, aligned to our work in Integrated Children's Services, to inform our commissioning intentions for the Early Years strand of the TEP contract and make best use of the extensive resources available for Early Years. We will continue to work closely with Lisa Evans, Chair of the Kent Early Years and Childcare Provider Association.

- 3.23 We are focusing on improvements to transitions in Early Years to Primary School, Year 6/7, and Post 16. During Autumn 22 we started redesigning the phased transfer process for Year 6 to 7 transition to better involve mainstream colleagues, providing information to district groups of schools to jointly make decisions about the best placement for pupils with SEND in state-funded schools. The pilot was successful and an improved version will be used for the next academic year.
- 3.24 In early February 23, the management of the statutory process of phased transfer of pupils with EHCPs was moved into Fair Access services, so transition is managed within the same service as mainstream school admissions to benefit from the robust processes developed there. This has also simplified the Home to School Transport process, which is also commissioned through Fair Access.
- 3.25 For Post 16 transition, we worked together with Further Education college representatives to map out an improved timeline for Post 16 phase transfer to ease current pressure points, while ensuring adherence to statutory timeframes. In addition, extensive conversations were held around how to improve transition for young people with SEND to college, so that they are well supported and they and their families feel confident in the ability of the college to meet their needs. It was agreed that refreshed communications, which demonstrated how well young people with SEND were achieving at college, would be a very positive next step in promoting and building confidence in the sector and this work is now well underway.
- 3.26 All the work on improving transitions is expected to both improve the experience for children, young people and their families, as well as reducing the administrative burden for education providers. The initial changes will be completed by May 23 in order for these processes to have an impact for the 2023/2024 phase transfer, but work is already underway to ensure further improvements for 2024-25 and beyond.
- 3.27 Another important area of work we are continuing to focus on is Alternative Provision, with close working between Education and Integrated Children's Services and our education sector partners to support children and young people with additional needs. We have processes in place to ensure the effective use of Alternative Provision to meet statutory deadlines. We have also put in place a process to review individual intervention plans for pupils in Alternative Provision and their pathways back to mainstream education.

#### Health partners

- 3.28 Our integrated partnership working with Health is a strategic priority for the Council, led through the work of Kent and Medway Integrated Care Board. Health is a critical partner in the SEND system, together with education and

children's social care. We have reviewed our SEND Transformation approach with NHS Kent and Medway partners, to drive forward improvements through the Kent and Medway Integrated Care Strategy approved in December 22. We have formed a close working relationship with Dame Eileen Sills, Chief Nurse, to build on her professional expertise, reflecting this in our governance arrangements for SEND.

- 3.29 This is complemented by our strategic relationship with Cedi Frederick, Chair of the Kent and Medway Integrated Care Board (ICB) and Paul Bentley, Chief Executive of the ICB. In February 23, Cedi Frederick confirmed their intention to establish a 'Children's Cabinet' to feed into the ICB. A stocktake is now underway across Health and local authorities in Kent and Medway about what is already in place, to inform the future model and consider any gaps, including opportunities to hear the voice of children, young people and their families.
- 3.30 This will further strengthen the relationship between the ICB and our new SEND Strategic Improvement and Assurance Board (A5) which includes Dame Eileen Sills and Jane O'Rourke, NHS Interim Director of Children's Services. This will connect directly into the Kent and Medway Integrated Children's Partnership Board and Kent and Medway Children and Young People's Programme Board. Our health partnership actions are further set out in Part B and C. We will work with our health partners to embed reports in the ICB system to help drive improvements.
- 3.31 We are committed to working together with Health on co-produced and integrated commissioned provision to better meet identified needs. Individual and joint commissioning arrangements are working towards embedding the use of the 'identify, assess and meet needs' cycle, making the best use of resources (including our workforce) to ensure effective, efficient and sustainable services, and decisions being evidence based and reflecting feedback from children, young people and parents.
- 3.32 Kent's Local Offer is based on co-production with parents/carers and children and young people and health partners, process redesigns, and a vision for joint working and commissioning (C4). We are also very much working closely in partnership with Health on critical issues they lead on such as reducing neurodevelopment pathway waiting times (B4).

However, we recognise that although positive progress has been made between partner organisations, this is not always directly experienced by children, young people, and families. In addition to specific NHS Kent and Medway resources for the lived experience (A1), Health Navigators have been an important step forward, supported by new system leadership, to provide personalised support for families within their local community, complemented

by a neighbourhood and locality-based model for SEND transition. For example, the East Kent Neighbourhood project is based at the heart of the local community in GP surgeries, bringing together partners working with children, young people, and families with SEND with shared assessment, observation, and learning to improve practice.

Voluntary and Community Sector and participation partners

3.33 Our engagement with the Voluntary, Community and Social Enterprise Sector (VCSE, or Third Sector), is also highly valued, particularly in their support for extending our participation reach via their professional membership and networks. We look forward to building on this further at a VCSE sector event focused on children and young people on 09.03.23. We are refreshing our relationship and continuing to work closely with Kent Parents and Carers Together (A7), which includes representation from the VCSE sector.

3.34 Following support from DfE and LGA, on 31.01.23 we started our urgent work with the Council for Disabled Children to extend appropriate VCSE engagement in our partnership activity, engagement frameworks, and governance arrangements, including working with specialist voluntary organisations e.g., Mencap. We are committed to assessing the expected impact of more effective partnership working with the VCSE sector.

***Actions to demonstrate pace since 2023***

Action	Owner	When
Engagement with LGA Improvement Adviser	SH	Jan 23
Partnership activity and KPIs against 9 improvement areas defined	SH	Jan 23
Independent expertise and challenge from Council for Disabled Children	SH	Feb 23
Review of EHC process and family experience with SESLIP	SH	Feb 23
Partner representation enhanced in new governance arrangements	SH	Feb 23
Contributing to Health stocktake on children’s governance	SH	Feb 23
VCSE sector event on children and young people	SH	Mar 23

***Actions from 3 to 18 months***

Action	Owner	When
Plan an improved phase transfer and transition process for Y6/7 and Post 16	CM	May 23
Transition action plan for children, young people, and parents	CM	May 23
Development of a SEND sufficiency strategy	CM	Jul 24
Integrated Care Strategy delivery with NHS partners	SH	Ongoing

**Accountable Owner:** Sarah Hammond, Corporate Director for Children, Young People and Education

**KCC Lead:** Christine McInnes, Director for Education and SEN



## **A4. Management Response**

### ***Recognition of areas for improvement***

A priority has been to fundamentally redesign the management capacity, capability, and whole SEND service to ensure that we are fit for purpose to deliver the necessary improvements at pace, meet the increase in demand both now and in the future, and continue to meet our statutory duties within timescales. The current challenges surrounding recruitment and retention has also meant that families have not always had the best experience when accessing and contacting SEND services and this required an urgent management response.

### ***Progress from Inspection Revisit 2022 to February 2023***

- 4.1 Since being appointed in July 2022, Sarah Hammond, Corporate Director for Children, Young People and Education, has provided strong personal leadership for SEND transformation, including effective escalation and leading a collective management response to resolve problems swiftly and make rapid improvements.
- 4.2 This set clear expectations from the outset that the responsibility for the improvement journey rests across the whole of the Children, Young People and Education Directorate Management Team (CYPE DMT) leadership team. There is already evidence of a more balanced, whole service leadership approach, reflecting the connectivity between the work of all parts of the CYPE system. This is being further strengthened by the CYPE leadership changes endorsed in January (A2) and culture and workforce (A6), which will now move into second tier management.
- 4.3 Since the Inspection revisit, Sarah Hammond enhanced the priority of the Education and SEND agenda on CYPE DMT weekly meetings, leading standing items to ensure visibility and proactive management action. She also directed the rapid movement of key resources from Integrated Children's Services, who supported the Outstanding Ofsted for Children's Services, to provide additional capacity and expertise to support SEND services. Directors have led spotlights on key areas of SEND for our Operational Groups, for example in February 23 we had a focus on Early Years work by the Early Years SEND Support and Inclusion Team and Equality and Inclusion Team from the Education People.
- 4.4 Sarah's focus with the senior leadership team has been complemented by a "get out, meet and listen" approach, investing time to personally engage with individual and groups of parents, and visiting schools, Further Education colleges, and other settings. This has been essential to demonstrate a real change in approach and a dedication to repairing relationships, establishing new ones, building trust, and embedding feedback loops.
- 4.5 A tangible example of the impact of this new approach has been the rapid development of the SEND Enquiries Hub through cross directorate collaboration to respond to rising demand in complaints and feedback from parents and carers (A8). Sarah provided challenge to the service that a radical change could be delivered within required timeframe. By March 23 this will swiftly strengthen both

corporate and service capacity and will result in rapid improvements to the quality and experience of service delivery for families.

### Education and SEND services

- 4.6 One of the key aspects of the CYPE DMT changes is to address the whole Kent system and in particular the relationship with schools and their approach to inclusive education in relation to SEND. With the further drive towards academisation it is vital that this relationship is better established and strengthened to avoid it shrinking beyond the extent it has to date. The intelligence received from schools is that they would welcome the Council working more closely with them on this agenda and the 74% of the schools currently engaged in SEND development work is a good indicator of the commitment in the sector.
- 4.7 Christine McInnes will be confirmed in the role of Director for Education and SEN so that her extensive expertise and experienced professional background in both SEND and the Education sector can have a real impact. Christine has worked at a national policy level as a Director of the Healthy Schools Programme, which included special schools. She held leadership and advisory positions in the special and mainstream school sectors and has experience of SEND within her portfolio at Director level in three local authorities, leading reforms of SEND services from a very low baseline, improving performance, and reducing costs. She holds a National Professional Qualification for Headship and a Professional Qualification for School Inspection.
- 4.8 The change to the role retains the breadth of influence it has with schools and supporting all pupils in Kent but enables it to have direct control over statutory SEND services, as well as those that support inclusion in Education. Christine will lead and drive the improvements required as a result of the Inspection revisit and will bring closer focus to the whole system change required and, in particular, with inclusion in mainstream schools. Christine is leading the preparation for the Ofsted annual conversation in April 23, which will rigorously focus on our evaluation criteria across Integrated Children's Services, Education and SEND services, demonstrating the collective management commitment.
- 4.9 Christine will lead, shape, and direct the development and delivery of strategies aimed at improving educational outcomes for all children in Kent including effective school place planning and provision, alternative provision and inclusion for all children and young people, including those with SEND, and the development and delivery of the Local Area offer for children with SEND, with particular focus on our range of statutory duties. This will be a significant part of the approach to reduce demand and misidentification and over-identification for EHCPs, which we recognise is a national issue.
- 4.10 A priority area for management action has been tackling the backlog of Annual Reviews. Following the Inspection, the Management Information Unit undertook detailed analysis of the backlog data. By December 22 we used this to identify additional resource and develop urgent recruitment strategies to enhance

capacity for the Annual Review backlog team. Although we still have significant numbers, we are already seeing evidence of good progress in the quality, quantity, and overall number starting to drop, demonstrating the positive impact of the management response (Part B5 and C6, including early impact).

- 4.11 In 2022, we committed to a root-and-branch redesign of the SEND service to address the challenges of demand, operational and workforce pressures. This is essential to support our cultural shift, the delivery of our workforce development strategy and, most importantly, to ensure that children, young people, and their families are better supported by the service. We recognise that we need to accelerate the pace and impact of the redesign, to make the service changes needed for improvement.
- 4.12 Our SEND Redesign consultation process concluded in July 22, with staff and management feedback informing the new operating model which transformed all roles within the service. The phased implementation began in September 22 and is now being delivered as a specific transformation project which will conclude by September 23. Recent progress includes:
- Early Years inclusion service is on target, with Early Years panels underway to respond to issues of volumes of requests coming into the service.
  - Specialist services (including therapies and communication, and assisted technology) are in place, with a review in January on recruitment challenges.
  - School inclusion projects are on target, including the transition to new SEND Inclusion Advisers to support the transition at different age stages.
  - Management action on recruitment for business support, training and development, and quality assurance, including additional capacity for quality assurance being made available from children's social care.
  - A change management approach is progressing on the business process review, including decision making, financial authorisation, and communication with staff and sector.

#### Integrated Children's Services and Countywide Services (including social care)

- 4.13 Stuart Collins will become Director of Integrated Children's Services, which includes the full spectrum of services from preventative and early help to children's social care and specialist services for those with additional needs. Kevin Kasaven is also leading interim Director level support for Integrated Children's Services and Countywide Services. In their new leadership role, Stuart and Kevin are ensuring that the quality of early help and children's social work support for children and young people with SEND is absolutely at the core of our professional practice and fully embedded in the delivery and quality assurance of all Integrated Children's Services and Countywide Services.
- 4.14 To illustrate a sense of scale of the involvement of Integrated Children's Services and Countywide Services with children and young people with SEND:
- Early Help Units have 997 children and young people with SEND Support, which equates to 19% of their caseload. For children and young people with EHCPs it is 384, which is 7% of their caseload.

- Children’s Social Work Teams have 1,047 children and young people with SEND Support, which equates to 12% of their caseload. For children and young people with EHCPs it’s 1,530 which is 17% of their caseload. This figure is inflated by the number of Children In Need cases where children and young people have EHCPs, which is nearly a third.
  - Youth Justice have 15 children and young people with SEN Support, which equates to 10% of their caseload. For children and young people with EHCPs it is 35, which is 23% of their caseload.
  - This is based on Unique Personal Number (UPN) matching to school census data which doesn’t include records on EHM and Liberi without a recorded UPN and does not include EHCPs for children not placed in Kent state-funded schools, so the numbers may be higher.
- 4.15 Due to the scale and importance, we recognise the need to further enhance our involvement of children’s social care, including frontline children’s social work teams, alongside our education and health partners through all stages and aspects of the SEND improvement journey as part of our core delivery.
- 4.16 Stuart is leading specific projects in Operational Group 1, including Alternative Provision for children with additional needs (A3), Hospital Schools (C8) and reviews of High Cost Placements with children’s social care fieldwork teams to ensure we meet the higher level of need for children and young people with complex needs, including Autistic Spectrum Conditions. Stuart is the lead advocate for professional children’s social care practice in KCC’s SEND Transformation Strategic Board, and at a systems leadership level with the Kent SEND Strategic Improvement and Assurance Board.
- 4.17 In the Corporate Parenting Service, each child has a placement plan which details any additional support needs that are a result of SEND. This is also detailed in their Personal Education Plan and support options include additional support from Virtual Schools Kent, additional support provided through the school, extra tuition in the carers home and access to activity days. Foster carers have specific training linked to SEND education including Paired Reading, nurture, attachment and managing behaviour. Longer training courses of up to 12 weeks are available including Fostering Changes and Reflective Fostering. For children with a disability and/or more complex needs we consider enhanced payments, respite care support and sessional work to support the main foster carer.
- 4.18 Foster carers supporting children and young people with SEND also have monthly support groups which are regularly attended by Virtual Schools Kent/Participation team. Participation and engagement is essential, so foster carers are representatives on our Corporate Parenting Panel, the Foster Care Advisory Board and an active Ambassador Group. Children and young people with SEND who are known to children’s social care have access to all the children in care councils, activity days and award ceremonies to benefit from these wider opportunities. Our Corporate Parenting Panel receives a six monthly report progress report on Children in Care with an EHCP, jointly presented by the SEND and Corporate Parenting service.

- 4.19 In November 22, the Total Placement Service, which is part of Integrated Children's Services, worked closely with Education colleagues to review and analyse data on unregistered placement provision for children and young people with highly complex additional needs. This was also shared for review with Quality Assurance and Professional Standards. Although there is not currently specific data captured on SEND resource led placements, intelligence within the Total Placement Service team indicates there are a substantial number of children and young people we place in residential children's homes who would either be in the process of an Autistic Spectrum Condition or similar diagnosis, or have a diagnosis in place.
- 4.20 The Adolescent Services Team works with children and young people with the most complex additional needs. Since Covid-19, the service has been supporting real challenges for children and young people with SEN (specifically Autism Spectrum Disorder) where we have seen increased children's anxiety, school refusing, and increased stress in the family home. Autism Spectrum Disorder is also a feature of some of our children who are the most difficult to place and in the most expensive placements, especially upon discharge from Tier 4 health services with rigid thinking, extreme anxiety, and severe suicide being real challenges to overcome, requiring long term intensive social work support from the Adolescent Services Team, working closely alongside health partners.
- 4.21 The Youth Justice service also provides support to children and young people with additional needs. Current data (Feb 23) shows that formal EHCP and SEND issues impact on up to 34% of the children and young people we support in Youth Justice. Of the 150 children and young people we are supporting, 15 are flagged with SEND Support, but 51 (34%) children and young people have SEND coded needs, which includes learning disability, speech and language, behavioural, emotional and sensory disability and Autism Spectrum Disorder. 26 (17%) are flagged as having an EHCP and 35 (23%) are children and young people with 'EHCP need' flagged – meaning that they could be in the process, or are post statutory and not in education, training or employment.

#### Quality Assurance and Professional Standards

- 4.22 We recognised that a fundamental foundation for sustainable improvement was strengthening the quality assurance arrangements within CYPE, building on expertise from within Integrated Children's Services, which has transferred into SEND services to bring the experience, professional challenge and learning that supported Children's Services to achieve their Outstanding Ofsted outcome. On 03.11.22, Leemya McKeown started as Interim Assistant Director for Professional Standards and Quality Assurance. On 21.12.22, Elise McQueen started as Assistant Director – Quality Assurance and Social Work Lead within the SEND service.
- 4.23 This work is still at early stages and we recognise there will need to be a significant cultural shift within the SEND workforce, quality assurance teams

are now actively involved in our new governance arrangements and planning future actions to support SEND improvement. We have also strengthened the relationship between Quality Assurance and Professional Standards and the Management Information Unit.

4.24 A positive example of this is our project which is implementing a SEND Audit, Moderation and Appreciative Enquiry Cycle, consistent with Kent’s Quality Assurance Framework, and working closely together with Adult Social Care to support effective transition. This will provide an intensive focus over the next 12 months to develop better data management and quality from the SEND service (e.g., recording and uploading of documents in the Synergy system). It will introduce a cohort of Auditors and Moderators at different levels of responsibility engaged in the activity and Data Analysts to assist with allocation of audits and identification of children, ensuring the right data reporting is in place.

4.26 At the core of our success criteria for the Audit, Moderation and Appreciative Enquiry Cycle is children’s lived experience in the SEND system and ensuring the impact of the quality of practice is understood. There will be a consistent feedback loop from parents, children and young people through the service user feedback. There will be 4 key stages before February 24: (1) creating the right environment / aligning audit tools to SEND practice, enabling the workforce to understand their role within the audit process; (2) prepare for the workforce’s involvement in audit and moderation cycle; (3) engage workforce and deliver pilot; and (4) analysis and learning loop.

TIMETABLE

March 2023	April 2023	May 2023	June 2023	July 2023	Aug 2023	Sep 2023	Oct 2023	Nov 2023	Dec 2023	Jan 2024	Feb 2024	
Audit	Moderation	Analysis	Learning Plan	Implement	Track	Measure	Report impact					
		Audit	Moderation	Analysis	Learning	Implement	Track	Measure	Report impact			
				Audit	Moderation	Analysis	Leaning	Implement	Track	Measure	Report Impact	
							Audit	Moderation	Analysis	Learning	Implement	Track
								Audit	Moderation	Analysis	Learning	

**Actions to demonstrate pace since 2023**

Action	Owner	When
Transfer of additional resource for complaints and annual review	SH	Jan 23
New Director for Education and SEN endorsed	SH	Mar 23
Establish an audit, moderation, and appreciative enquiry cycle in SEND, consistent with quality assurance framework	EM	Feb 23
Self-Assessment underway with CYPE DMT	CM	Feb 23
Further transfer of management expertise to SEND	SH	Mar 23
Pilot of Quality Assurance SEND auditors	EM	Mar 23

### **Actions from 3 to 18 months**

Action	Owner	When
Pilot of Quality Assurance SEND moderators	EM	Apr 23
Self-Assessment to inform Ofsted Annual Conversation	CM	Apr 23
Assessment tribunals, placement finding teams and case holding teams in place	ST	May 23
Quality Assurance moderation cycle commences	EM	Jun 23
Early Years Review completed with recommendations for improvements and commissioning	CM	Jul 23
SEND Redesign implementation completed	ST	Sept 23

**Accountable Owner:** Sarah Hammond, Corporate Director for Children, Young People and Education

**KCC Lead:** Christine McInnes, Director of Education and SEN

## A5. Governance and Decision Making

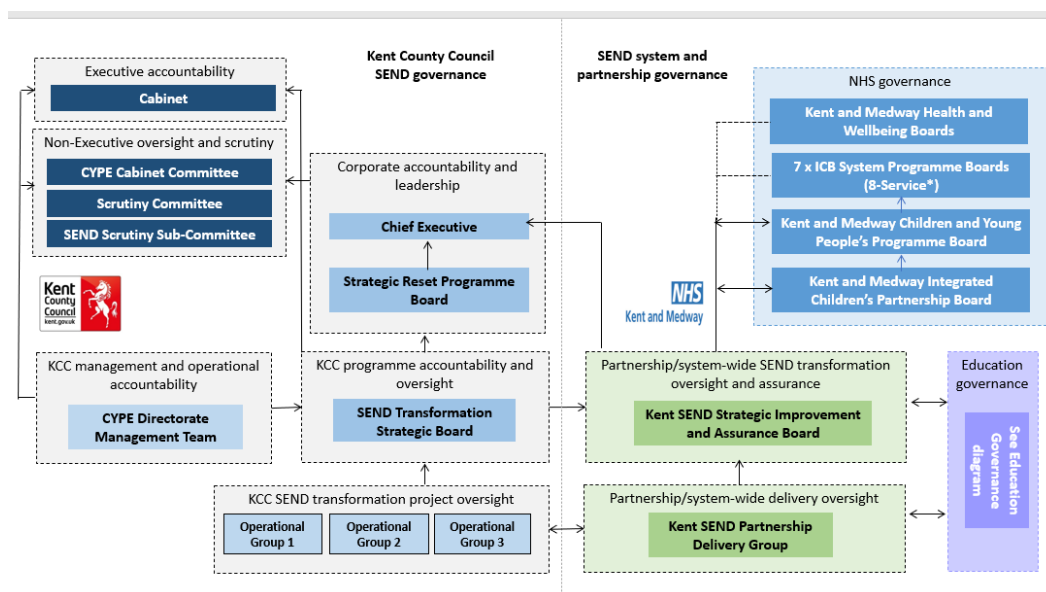
### **Recognition of areas for improvement**

We accept that the previous SEND Improvement Board was ineffective in driving improvement over time, due to a lack of challenge or understanding of the complexity of what needs to be achieved. The revisit highlighted our failure to improve strategic and operational governance of SEND arrangements across the EHC system, due to a lack of shared strategy and planning. We accept that weak governance has led to the absence of a commonly understood, or agreed, area-wide ambition for children and young people with SEND. There is an unacceptably weak understanding, across the range of stakeholders, including those who are charged with delivering and managing provisions and services, of the gravity of the unsustainable position that the Kent area is in.

### **Progress from Inspection Revisit 2022 to February 2023**

5.1 We accepted the need to completely review and transform all our SEND governance arrangements. This started in October 22, when we established KCC's new SEND Transformation Strategic Board. By January 23, we had agreed the new governance arrangements and meetings of all governance boards are now underway, supported by updated Terms of Reference.

#### SEND Transformation governance overview



#### Kent County Council officer-led governance arrangements

5.2 The *SEND Transformation Strategic Board* established on 31.10.22, meets at minimum monthly, and is chaired by Sarah Hammond as SRO for the SEND Transformation Programme. It provides the Council's programme-level accountability, oversight and decision making, focused on improving outcomes and impact for children and young people. It provides partnership/system escalations and monthly assurance reports to the Kent SEND Strategic Improvement and Assurance Board. Progress includes:



- October 22 – Programme Update, Terms of Reference, Reporting Requirements, Programme Resources
- November 22 – Agreed Terms of Reference, Operational Group updates, Initial Key Risks, Relationship with SRP Programme Board, Reporting Demo
- December 22 – Feedback from SRP Programme Board, Operational Group updates including key risks and issues, Dependencies, Prioritisation of SEND Transformation projects and risk update
- January 23 – DfE Representation, SEND Communications and Engagement Strategy, Data Quality Update, KPIs and Key Risks, Operational Group Updates

5.3 The *Strategic Reset Programme (SRP) Board* is the senior leadership escalation point and provides corporate oversight and accountability for the SEND Transformation from KCC's Corporate Management Team, ensuring a whole council leadership response. In November 22, SRP agreed that SEND Transformation was the top priority of the 11 transformation programmes across the Council. SRP Programme Board received updates on SEND Transformation on 01.12.22 and 02.02.23 and will next consider prioritisation on 16.02.23, in addition to monthly reporting and visibility of significant SEND risks and issues. The Leader and Deputy Leader receive monthly reports on SEND Transformation, as part of regular reporting on the Strategic Reset Programme.

5.4 The SEND Transformation Strategic Board is supported by three *SEND Transformation Operational Groups*, which were established in October to November 22, meeting at least fortnightly. The Operational Groups are responsible for the delivery of the operational transformation projects to deliver improvements in SEND services for children and young people, while ensuring services are sustainable for the future. There is now visible progress for each Op Group via a live management dashboard. The SEND Transformation Strategic Board is the escalation point for the Operational Groups.

- Operational Group 1 – Health Related, MI Systems, and Post 16 & Alternative Provisions (Accountable Leads: Stuart Collins, Director for Integrated Children's Services and Christy Holden, Senior Commissioning Manager)
- Operational Group 2 – Inclusion early years & mainstream; sufficiency plan, locality-based resources & predictive modelling (Accountable Leads: Christine McInnes, Director for Education and SEN and Karen Stone, Finance Business Partner)
- Operational Group 3 – Parental engagement related activities, SEND process, structure, and communication strategy (Accountable Leads: Kevin Kasaven, Assistant Director, Specialist Children's Services and Tracey Gleeson, Communications Partner)

5.5 The *CYPE Directorate Management Team (CYPE DMT)* reports into the SEND Transformation Strategic Board to provide operational accountability for delivery, with the senior leadership team holding statutory and management

responsibilities for service delivery. Representatives from DMT lead each of the Operational Groups.

#### Kent County Council political (Executive and Non-Executive) governance

- 5.6 It is essential there is robust political leadership, oversight and input to the Council's improvement journey. The Executive Member oversight, engagement and strategic decision making is directly through the Leader, Cabinet Member for Education and Skills and Cabinet. Management decisions on SEND are through delegations to the Corporate Director for Children, Young People and Education, any key decisions relating to SEND Transformation will be Executive Decisions by the Cabinet Member for Education and Skills. Section A2 sets out when and how Members have been engaged in the improvement process.
- 5.7 Non-Executive oversight and engagement is through the Children Young People and Education Cabinet Committee and Scrutiny Committee. In recognition of the immediate improvements we need to make, a new SEND Scrutiny Sub-Committee is being established to strengthen Elected Member oversight of the detailed transformation activity and impact.
- 5.8 The purpose of the cross-party SEND Scrutiny Sub-Committee is to undertake normal Scrutiny Committee activity specifically in matters related to the Council's provision of and arrangements for SEND. Key outcomes of the sub-committee's work will be engagement with key parties involved in the provision and use of SEND services, the development of recommendations for improvement, and the holding to account of the Executive for SEND policy, strategy, and delivery.
- 5.9 The SEND Scrutiny Sub-Committee will also scrutinise progress made against OFSTED reports relating to SEND provision as well as exploring how the relevant circumstances arose. When exercising powers in relation to education functions, Church Representatives and Parent Governor Representatives will also be included. There will be a standing invitation to up to two Kent PACT representatives per meeting, with an expectation of participation being permitted depending on the issues under consideration.
- 5.10 The Cabinet Member is a member of the Kent SEND Strategic Improvement and Assurance Board, with a standing invitation to representatives from each Opposition Group to strengthen cross-party oversight.

#### Kent Local Area partnership/system governance arrangements

- 5.11 The initial meeting about SEND assurance took place on 18.01.23, chaired by an independent sector led improvement expert, Deborah Glassbrook, from the Local Government Association and SESLIP programme. The board discussed Terms of Reference, Governance and Membership, Progress Updates from Health and KCC, Accelerated Progress Plan, Data and Management Information and Actions.

5.12 There was strong engagement and full commitment from all partners to actively contribute to the improvements needed, to prioritise collective actions and undertake joint planning. There was a clear consensus from all partners attending the initial board that:

- Their role was to drive at pace the system/partnership changes and improvements that are required, in addition to assurance of delivery and impact of actions for children, young people and families.
- That they should have a role in holding the system to account, providing challenge, sharing what is working well, and influencing other partners to make a difference.
- That they should concentrate on the 9 areas for significant improvement with clear KPIs but maintain an absolute focus on outcomes and impact for children and young people, not just progressing activity.
- Partners emphasised that we need to be clear on what will feel and be different for children and young people, evidence the impact that families feel it is making a difference and that representation and the voice of young people needs to be considered in governance arrangements.
- It was recognised that we need to consider strategic issues at a system level that we need to address in partnership (e.g., education sector engagement).
- It was recognised that we need to learn lessons from the previous governance arrangements.
- That we need to review our vision, strategy, and engagement approach, so we have a clear Kent wide ambition for children and young people, and everyone has a shared understanding and clarity of purpose and expectations.
- That we need actions with specific dates and aggressive timescales, while respecting individual organisation governance and decision-making process.

5.13 It was agreed that a Kent SEND Strategic Improvement and Assurance Board (SIAB) and a Kent SEND Partnership Delivery Group (PDG), would be established in Feb 23, supported as necessary by Task and Finish Groups to accelerate work at pace. Updated Terms of Reference, including Governance and Membership, based on best practice shared by the Independent Chair, was defined by 25.01.23 to be agreed at the next meeting of the Kent SEND SIAB, which will be on 22.02.23. David Cockburn, Chief Executive will be the personal escalation point from the Kent SEND Strategic Improvement and Assurance Board, to advise on the local authority response and mitigations.

5:14 The new assurance arrangements will report into the Kent and Medway Children and Young People's Programme Board and Integrated Children's Partnership Board, which will be relaunched w/c 23.01.23, linked to the delivery of the Kent and Medway Integrated Care Strategy published in December 22, which has children and young people as one of the key priorities. Our work together on the ICB is already demonstrating the impact of a system wide response to key issues, for example neurodevelopmental pathways (B4), effective governance for joint commissioning (C4 and C7) and collaborative

working on pathways of children and young people in mental health services, crisis and complex care services (C8).

5.15 We also recognise the importance of robust representation from across the education sector, including early years, specialist, mainstream and Post-16, so this is also being strengthened in our governance arrangements.

**Actions to demonstrate pace since 2023**

Action	Owner	When
Partners sharing key actions and progress on 9 improvement areas	SH	Jan 23
SEND partnership/system governance arrangements defined	SH	Jan 23
New KCC SEND Scrutiny Sub-Committee established	BW	Jan 23
First meeting of Kent SEND Strategic Improvement and Assurance Board	SH	Feb 23
All SEND Governance arrangements and Terms of Reference updated	SH	Feb 23
First meeting of Kent SEND Partnership Delivery Group	SH	Mar 23
OD staff development in effective board and committee meetings	JH	Mar 23
Monthly assurance reports to governance arrangements begins	SH	Mar 23

**Actions from 3 to 18 months**

Action	Owner	When
Review escalation processes	LH	Apr 23
Review partnership vision, strategy, and engagement approach	SH	Apr 23
Review and update Education inclusion and engagement approach	CM	Apr 23
Consider VCSE representation and participation in governance	SH	Apr 23

**Accountable Owner:** Sarah Hammond, Corporate Director for Children, Young People and Education

**KCC Lead:** Liz Sanderson, Strategic Lead, Strategic Reset Programme

## A6. Culture and Workforce

### *Recognition of areas for improvement*

We recognise that the service we are currently providing has fallen below our own acceptable standards. Our initial internal review has pointed to a combination of failures in the working environment which have contributed to this. A systematic programme of work on the culture in SEND is underway to address these failures.

A sufficient and stable workforce is a crucial component to being able to meet the high volume of demand for SEND services. Recruitment and retention of staff is a challenge within the SEND service and has seen us operating with a high number of vacancies and a heavy reliance on temporary staff. We accept the workforce capacity issues are having an impact on people's experience across various SEND services in Kent, including limited antenatal and postnatal support and unacceptable speech and language therapy waiting times.

### *Progress from Inspection Revisit 2022 to February 2023*

6.1 Following the Inspection Revisit Report, SRP Programme Board accepted the need for a fundamental cultural and behavioural shift, with Paul Royel, Director of HR/OD working with Sarah Hammond to commission an intensive programme for cultural change, which is essential to support our SEND Redesign (A4).

6.2 Since November 22, our HR/OD team have started a cultural audit to understand the prevailing culture/leadership style within SEND. A tailored exit interview pilot has commenced across the CYPE directorate to understand current themes to inform future priorities. We have launched Skills for Growth (for all staff grades) to build key transferrable skills and started to define the leadership competencies required to deliver improvement. This has been supported by two Reverse Mentoring programmes, which will complete in February/March 23.

KCC's SEND Cultural Change Programme - Overview		
This means:	This requires:	This will:
<ul style="list-style-type: none"> <li>• A radical change in the way people work</li> <li>• Increased collaboration across services, greater collaboration and sharing of insights/data with internal and external stakeholders</li> <li>• Greater personal responsibility and accountability across the system</li> <li>• Everyone playing their part in providing efficient, effective, appropriate and timely service provision</li> </ul>	<ul style="list-style-type: none"> <li>• A cohesive, sustainable cultural change programme</li> <li>• Engagement of all stakeholder groups and partners</li> <li>• Effective, visible, trusted leadership, role modelling the right behaviours and equipped to drive and inspire action</li> <li>• Effective board, committee and meetings with tangible actions and follow through</li> <li>• Inspiring and connected engagement and development activities for the SEND service</li> </ul>	<ul style="list-style-type: none"> <li>• Build internal connectedness and change capability</li> <li>• Develop the leadership team to drive and sustain the change</li> <li>• Provide a range of practical and innovative continuous improvement tools and methodologies</li> <li>• Support greater collaboration by sharing of learning and success stories across the SEND service</li> </ul>

6.3 We acknowledge that there are significant workforce challenges in the current system and pressures within the market, but that KCC's leadership response to this is critical. KCC's HR/OD team are leading solutions to recruit permanent

employees to the SEND structure, with a Recruitment and Retention Working Group as part of the SEND Redesign. This will help address the imbalance between the number of permanent staff and agency and speaks to supporting a changing culture by having staff in the organisation invested in making SEND service improvements for the long term. HR/OD are providing proactive support to unlock barriers to recruitment delays and target workforce gaps. They are also supporting the urgent workforce development for complaints and customer feedback (A8).

- 6.4 To support a cultural shift to a stronger focus on children and young people with SEND, we have launched e-learning training for all staff on our Co-Production Plan, which centres around 5 pledges. This was based on the values and behaviours parents told us they want us to adopt when working with children and young people. This complements wider SEND training and strengthens the awareness of the importance of co-production for multi-agency professionals, including in education.
- 6.5 A priority in workforce development has been working with our education partners on inclusion. To support this, our Schools Resource Directory is now ready to go live, which will co-ordinate the training on offer for education professionals in one place on our KELSI website (an online platform for education resources). We already have in place an Inclusion Leadership programme of peer-to-peer review and support, bringing together small clusters of schools across Kent, to identify and strengthen inclusive practices at school level, including expert support from a nominated Inclusion Leader of Education. The first 'graduates' of this 18 month programme will be available to support capacity building during the summer term 23. Further information on our inclusion approach is set out in Part B2 and C2.
- 6.6 The SEND Support and Inclusion Team are delivering "Inclusion for ALL" training to Early Years Collaborations and Early Years settings around planning for and assessing children with complex needs. There have been difficulties with settings accessing training due to financial constraints and recruitment, so free online training and webinars for Early Years settings have been made available. The Equality and Inclusion Team in The Education People have provided a programme of advice, support and training to promote and enable equality and inclusion and to narrow gaps in achievement to 414 delegates between September 22 and January 23.
- 6.7 Within Children's Commissioning, we are using our new Engagement Framework to inform a refresh of our Memorandum of Understanding with Kent PACT so we can have a clear basis to progress our participation approach with our workforce. Our Family Engagement Award and parent moderation process was co-designed with Kent PACT, to tie into the multi-agency quality assurance framework, and ensure this moves beyond compliance into continuous professional development.
- 6.8 At a local level, we recently commissioned an innovative, co-produced SEND 0-25 Parenting Offer delivered from our buildings and local community sites. The delivery is led by community facilitators with lived experience, and we aim to

grow this peer support model over the next three years. Our community peers will form part of a much wider network of family support including Primary Care Navigators. At a neighbourhood-level, practitioners in Children's and Adults' services are working together with health and VCSE partners to build local capacity to support harder-to-reach groups and learn from shared assessment approaches.

- 6.9 We fully recognise that effective transition is a shared responsibility between children's and adults' social care services. In 2022, we established a dedicated workstream in Adult Social Care called 'Ensuring Pathways to Support and Transition', led by Susan Ashmore, Assistant Director in Adult Social Care (Lead for Transition). As the former Principal Social Worker in Children's, Susan is dedicated to improving shared practice, safer pathways and transitions for young people and breaking down cultural barriers between Children's and Adults' services. SEND transition is now being better connected with a strengths-based approach in adult social care, which focuses on support for young people in local communities and how we work with them to prepare for independence in adulthood.
- 6.10 We are establishing multi-disciplinary Transition Panels to plan a holistic package of support for young people, including education, skills and employment and joint commissioning arrangements. This builds on our learning from the East Kent Transition Panel, which is the model at an area level to incorporate all young people moving into Adult Social Care and develop shared understanding of levels of need and different legislation (e.g., Children's Act to Care Act requirements). We will involve frontline practitioners and families in a co-design approach to ensure we make cultural changes needed to become more focused on outcomes for young people and ensure they have a meaningful voice in the process.
- 6.11 On 23.02.23 Susan Ashmore, Leemya McKeown, Acting Assistant Director for Quality Assurance and Professional Standards, and Sharon Howard, Assistant Director for Disabled Children's Services agreed to review our lifespan pathway by mid-February 23 to develop shared practice, audits, protocols, and procedures. This will review the current audit tool (used in Adult Social Care and recently adopted by Disabled Children's Services) and request CQC framework evaluation care assessment criteria. Using this knowledge, we will undertake a dip sample of the last 10 young people who have transitioned to Adults. The findings will support what we need to improve in terms of our transition protocol and support to staff.
- 6.12 We are in early stages of working with our NHS partners on shared learning, training, and development, including leadership training and planning career pathways across partnership roles, in recognition of the shared workforce challenges at a system level. We hope to rapidly progress this as part of our new Kent SEND Partnership Delivery Group (A5) which will begin by March 23.
- 6.13 To complement our staff workforce development, we recognise the importance of development support for Elected Members in their oversight and assurance

role. Cllr Rory Love’s role with the Local Government Association (LGA) enables us to be well-placed to take up any future opportunities with the LGA’s Leadership Programme for Elected Members, which could help to support the cultural change needed from a political perspective. This will be complemented by an internal programme of briefings to ensure all Elected Members are aware of, and support, the direction of travel.

***Actions to demonstrate pace since 2023***

Action	Owner	When
New engagement framework with staff to inform future commissioning	SM	Feb 23
Review of lifespan pathway practice, audits, protocols, and procedures	SH/SA	Feb 23
Analysis of culture audit, including exit interviews	JH	Mar 23
Design of short-, medium- and long-term measures (e.g., pulse survey)	JH	Mar 23
Designing a Resilience Conference (personal and organisational focus)	JH	Mar 23

***Actions from 3 to 18 months***

Action	Owner	When
Implementation of the Inclusive Leadership programme	SS	Mar 24
Reignite Purpose and Values to increase staff accountability	JH	Apr 24
Psychological Safety – creating conditions where staff feel safe	JH	Apr 24
Roll out of Leadership and Board effectiveness	JH	Apr 24
Continued focus on measurement and impact of cultural change	JH	Apr 24
Delivery of Resilience Conference with internal and external workforce	JH	Apr 24
Implementation of the Supported Employment programme	ST-M	Jul 24
Implementation of the Autism Education Trust programme	ST-M	Sep 25

***Accountable Owner:*** Paul Royel, Director of HR/OD

***KCC Lead:*** Jan Hawkes, OD Strategy Manager



## A7. Communications and Engagement

### *Recognition of areas for improvement*

The Inspection Revisit highlighted the connection between low parental confidence and poor experiences and communications, based on 2,000 parents sharing a view with the inspection team in September 2022 - a concern that was also highlighted in the 2019 inspection. Parents raised concerns about lack of response to telephone, email communication, complaints and when they sought advice, saying the system was inconsistent and hard to navigate. Schools also raised concerns about sensitivity and tone of communications, and whether they were being fully consulted on important decisions. Ofsted provided feedback that we need to extend our engagement with a wider range of parental groups. KCC has also recognised that the child and young person's voice is essential for our communication and engagement approach, in addition to parents, carers, and key partners.

### *Progress from Inspection Revisit 2022 to February 2023*

7.1 Communications and engagement has been recognised as a high priority for the SEND Transformation Strategic Board, which includes a dedicated representative from KCC's Marketing and Resident Experience (MRX) team and is the owner of the new SEND Communications and Engagement Strategy. The SEND Transformation Operational Group 3 (Parental engagement related activities, SEND process, structure, and communication strategy) has specific responsibility for lived experience and the voice of children, young people and families. It is important that our communication approach is aligned with our complaints and customer feedback (A8), so that we appropriately manage expectations with parents and families in a sensitive way, even when we need to explain a decision about our policy thresholds.

7.2 During November to January, a draft SEND Communications and Engagement Strategy was developed, with professional expertise from MRX and input from the Operational Working Groups. It is shaped around 3 key objectives, which have been informed by the Inspection findings and feedback from parents and young people. Each objective links to specific priorities, projects, and actions, and is underpinned by specific communications and engagement plans.

Objectives – we want to:	We will measure this through
1. Improve the quality and the experience of personal interaction that children, young people, parents, and carers can expect to have with us, putting the needs and aspirations of children and young people at the centre of what we do.	Feedback from children and young people; Co-design of direct parent communications; parents/carers, and schools; Survey evaluations
2. Increase the visibility of relevant services, support, information, advice, and guidance available to parents, carers and young people at the times and formats they need them – and to the professionals who support them.	Social media engagement; Parental feedback, including on utilisation of the Local Offer; Web visits
3. Improve the transparency about the challenges we face, the progress of change and improvements we need to make, offer fairer services to all children and young people, and provide clear and accountable decision-making across the local area.	Provision of regular updates; parental feedback; newsletter engagement; web visits; social media engagement

- 7.3 The draft SEND Communications and Engagement Strategy was discussed at the SEND Transformation Strategic Board on 16.01.23 and shared with all board members on 17.01.23 for comment by 23.01.23, in addition to highlighting key communication and risks the board needs to address. There has also been engagement on the development of the draft strategy with the Cabinet Member for Education and Skills and Cabinet Member for Communications and People, NHS, Kent Parents and Carers Together (PACT) and the SEND Assurance partners (including education sector representatives).
- 7.4 The final strategy will be formally endorsed at the SEND Transformation Strategic Board on 20.02.23, however it is important that as this is taking place, the actions to progress the objectives are already being delivered in parallel.
- 7.5 Projects within the strategy and supporting communications plans will have clear milestones, start and end dates, with projects planned to come to fruition throughout this year. We are developing key measures (including qualitative data such as first-hand children, young people and families' experience, surveys, parental feedback, and social media engagement) for each objective in the strategy, so we can measure our progress and impact, which will be included in reporting to provide transparency and build confidence in our improvement.
- 7.6 KCC has initially focused on communications and engagement actions we can directly lead and rapidly progress, but we recognise the importance of a partnership and whole systems response, so the strategy will be discussed with the SEND Strategic Improvement and Assurance Board on 22.02.23, to identify further partnership actions. This board will have a key role to provide joined up ownership and consistent messaging of our improvement journey together with partners and Elected Members. This board will also have oversight of progress and impact of the SEND Communications and Engagement Strategy.
- 7.7 The MRX team is working closely with Christine McInnes, Director of Education on targeted communications for parents and carers to encourage inclusion (Part B2). This is founded on a robust academic evidence base for inclusion and key benefits for children, young people, and partners of supporting them within an inclusive environment and why this is good from the child and young person's perspective. This evidence is being used to expand the information, advice, and guidance on our website with more interesting and engaging ways to connect with people on the opportunities of inclusion. Actions in progress include:
- Development of an Education Communications Plan
  - Engaging directly with young people and parents to understand the pupil voice in inclusion and use this to create positive stories of people's experience in mainstream settings.
  - Our parents school inclusion survey is now live to develop further insights.
  - Work is already underway with Mid Kent College to develop stories for phased transition to further education and we plan to extend engagement with other schools, colleges, and parental groups.

- Developing video case studies, which will form part of social media content, including targeted content for school professional networks (e.g., LinkedIn) to use the experience of young people to promote the benefits of inclusion with education professionals.
- 7.8 We recognise that a critical area for improvement is the EHCP process (Part B5). The Continuous Improvement team in Analytics are leading several projects to respond to the Education Health and Care Plan backlog. They are using expertise in process improvement and customer journey tools to look at opportunities to improve the experience of parents when we communicate a change in their EHCP plan or annual review outcome.
- 7.9 For example instead of simply communicating the decision outcome and signposting to the appeals or complaints process, we are customising communications to help parents understand the local offer of support which may help meet the needs of their child in other ways. We are using parental involvement to test updated communications and will iterate further improvements based on their feedback and practice surveys.
- 7.10 Our primary engagement continues to be Kent PACT and we are working together to refresh our Memorandum of Understanding and working relationship. We are working closely with PACT on the draft Family Engagement Plan, focusing on parental confidence and the voice of children and young people in our communications and engagement approach, including their review and input to consultation materials. Sue McGibbon, Commissioner in the Community Resilience and Children and Young People's Team is also expanding KCC's engagement framework with KCC staff with lived experience of SEND, to inform our future commissioning approach. To demonstrate our system leadership commitment, the relationship with PACT is now being personally led by Sarah Hammond, Corporate Director for Children, Young People and Education, Dame Eileen Sills, Chief Nurse, and Christine McInnes, Director for Education, closely supported by the SEND Transport team.
- 7.11 In response to Ofsted feedback about our reach to other parental groups, we are building on PACT's direct engagement to extend our participation reach to a broader range of children and young people. The Local Government Association (LGA) have acted as brokers to secure Council for Disabled Children and RISE capacity and expertise to undertake this work, funded through a DfE contract with the Council for Disabled Children. With the support of DfE and LGA, we welcome expertise from the Council for Disabled Children on extending parental engagement with a wider selection of parental groups.
- 7.12 We are using a range of participation approaches with families, from universal surveys, to targeted engagement working with third sector organisations which specialise in particular needs or age groups. The parent, carer, and family engagement approach will be tested with partners in our new Kent SEND Strategic Improvement and Assurance Board.

7.14 We appreciate the importance of parental engagement, but there is also an absolute commitment from KCC to do more from the child and young person's perspective (Part A1). We are extending our participation and engagement with young people via focus groups and targeted engagement with key partners including schools, to ensure their voice is heard and ensure we hear from a broader range of young people than those self-selecting to be part of existing forums. A particular priority for the Council is the successful transition to adult services, so we are undertaking focused work on young people's experiences on pathways to independence and their ambitions for adult life.

7.15 A key strategic priority for the Council is integration with our health partners, so following positive early discussions before Christmas, we have arranged specific meetings with the NHS w/c 23.01.23 to take forward opportunities for joint communications and engagement, with their support to look towards developing a Local Area Communications Strategy.

### **Actions to demonstrate pace since 2023**

Action	Owner	When
Draft SEND Communication and Engagement Strategy	TG	Jan 23
Involve parents and young people in shaping the approach and priorities in the SEND Communications and Engagement Strategy	TG	Feb 23
SEND Communication and Engagement Strategy agreed	STSB	Feb 23
Define partnership actions to support the strategy	SSAIB	Feb 23
Involve parents and young people in the revised communications sent by KCC in the EHCP process	TG	Feb 23
Creation and promotion of SEND Engagement framework/plan to outline why, when and how we will engage with young people and their families	SM	Mar 23
Involve parents and young people in the review and redesign of phase transfer process	SD	Mar 23
Details of SEND Transformation Programme on the Local Offer/Kent.gov	TG	Mar 23

### **Actions from 3 to 18 months**

Action	Owner	When
Implementation of communications activities related to improvements to the EHC needs assessment process, including keeping parents informed	TG	Apr 23
Promote the new jointly commissioned Talk and Walk-in sessions with Speech and Language Therapists	TG	Apr 23
Promote the support and advice available for young people moving into adulthood	TG	May 23
Produce and implement a communications plan for the early intervention and support strategy to build confidence and trust in parents	TG	Jun 23
Improving communications for parents and carers, and young people when they move to a new school or setting	TG	Jun 23
Implementation of SEND Communication and Engagement Strategy	TG	Jun 24

**Accountable Owner:** Kevin Kasaven, Assistant Director, Specialist Children's Services

**KCC Lead:** Tracey Gleeson, Communications Partner

## **A8. Complaints and Customer Feedback**

### ***Recognition of areas for improvement***

The Inspection Revisit highlighted that parents had raised concerns about lack of response to their feedback and complaints. KCC's Customer Feedback Annual Report stated that SEND complaints were attributed to the majority of the increase in cases in the CYPE directorate, with response times to customers particularly challenging this year. A significant increase in workload and workforce pressures were cited as a reason for delays.

### ***Progress from Inspection Revisit 2022 to February 2023***

- 8.1 SEND complaints was recognised as a key risk area by the SEND Transformation Programme Team in December 22 and this is an example of successful escalation to identify ways to work together across the Council to mitigate further risk and resolve issues. Expert advice has been provided by Pascale Blackburn-Clarke, Customer Experience and Relationships Manager, who leads KCC's customer feedback framework.
- 8.2 In January 23, KCC's Corporate Management Team supported a more centralised approach to complaints in light of rising demand, complexity and feedback from the Ombudsman. A centralised approach to bring together professional experience in managing and harnessing the value of that feedback we receive has recently seen positive improvements in levels of Adults' complaints.
- 8.3 Following discussions with the Deputy Chief Executive, Customer Experience and Relationships Manager, and SEND service and quality assurance leads, Sarah Hammond agreed a transfer of complaints resource centrally, while maintaining expertise for complex cases within the Quality Assurance team within CYPE. This will help to strengthen professional practice, standards and quality in complaints and customer feedback.
- 8.4 This decision has been informed by process improvement expertise from HR/OD, who have mapped the complaints process pathway and how complaints were responded to based on customer feedback.
- 8.5 In addition to complaints, we recognise that we also need to improve our response to enquiries and other types of customer feedback. A Task and Finish Group led by Sharon McLaughlin, SEND Engagement, Operations and Assurance Manager, has developed a new model for an Enquiries Hub, which goes live in March 23, and is one of our priority SEND projects. By January 23 we had gathered insights and intelligence (including from process mapping) to inform the induction pack for the new roles. The Enquiries Hub recruitment is being finalised and this will ensure the team are fully ready in March 23, ready for the full implementation of our new model by April 23.
- 8.6 Parents and partners will see an immediate difference with a single number and increase in call answering capacity, working with our strategic Contact Centre

partner Agilisys – currently 60% of calls are not being answered. This will have a rapid impact on reducing failure demand. Once this is tackled, we will evolve this into a SEND family information support service, with dedicated support for families to talk through options for information advice and support in their local communities, driving down demand. This also provides an opportunity to connect this with our family hubs and community services directory on the Local Offer Website, to support informed decisions earlier with families.

8.7 The Enquiries Hub and KCC’s Customer Feedback team are working closely together to support the new team to manage and respond to enquiries quickly and efficiently where possible. This will make handovers between the Contact Centre, Complaints and Enquiries Hub as seamless as possible and ensure we deal with both complaints and enquiries appropriately. A strengths-based approach which supports the work of both the Enquiries Hub and practice development will strengthen the SEND Quality Assurance Framework.

8.8 The Continuous Improvement team in Analytics has also undertaken research and process improvement in the customer experience in SEND Transport, which is now demonstrating statistically significant improvements in complaints and an improved experience for families. The best practice and lessons learned have been shared with the SEND Transformation team and MIU, who are supporting improvements in complaints data quality to apply within SEND services.

***Actions to demonstrate pace since 2023***

Action	Owner	When
Centralise agreed SEND complaints capacity	ST	Feb 23
SEND Enquiries Hub recruitment completed	ST	Feb 23
SEND Enquiries Hub increase in call answering capacity	ST	Mar 23
Support the setup of the SEND enquiries hub, advise on call handling and quality, arranging and managing contract with Agilisys	ST/SM	Mar 23
Define key impact measures for complaints and customer feedback	KA	Mar 23

***Actions from 3 to 18 months***

Action	Owner	When
Enquiries Hub goes live	SM	Apr 23
Promote the launch of the Enquiries Hub	TG	Apr 23

***Accountable Owner:*** Sharon McLaughlin, SEND Engagement, Operations and Assurance Manager

***KCC Lead:*** Pascale Blackburn-Clarke, Customer Experience and Relationships Manager

## **A9. Programme and Project Management**

### ***Recognition of areas for improvement***

To respond to the Inspection Revisit findings on weaknesses in governance and leadership, we recognised that a strong, disciplined, and transparent approach for programme and project management was needed, in response to related areas such as governance, impact of actions, risk management, and shared planning.

### ***Progress from Inspection Revisit 2022 to February 2023***

- 9.1 In November 22 our letter to the DfE set out our intention to strengthen the corporate grip of programme and project management through the SEND Transformation programme, which has been recognised as the most critical priority within KCC's Strategic Reset Programme (SRP). The programme reports to SRP monthly. In December 22, the SRP Programme Board recognised the early progress which had been made to establish the programme and supporting projects but provided senior leadership direction for key elements of programme and project management which they felt needed to be further strengthened, including project prioritisation, risk management, and key performance indicators.
- 9.2 The SEND Transformation Programme Team (including dedicated Programme Lead and Programme Officer), with additional support from the SRP team, is now being further strengthened to provide robust management at both a programme and project level, providing strategic breadth and depth of detailed action within projects against all 9 improvement areas.
- 9.3 KCC is part of the DfE's Safety Valve Programme which aims to support local authorities to improve the delivery of SEND services and reach a positive in-year balance on its Dedicated School's Grant (DSG) by 2027-28 to eliminate its deficit as soon as possible. It is KCC's responsibility to implement a plan to reach its savings target and meet the conditions set out by DfE to receive funding. Safety Valve is within scope of the SEND Transformation programme and ensuring we meet these objectives and targets requires the coordination of both existing and new projects. Safety Valve is a key consideration in our prioritisation of projects.
- 9.4 An initial priority was to strengthen programme and project governance (*outlined in Section 5 in more detail*). The SEND Transformation Strategic Board (established October 22) provides oversight and accountability of the programme as a whole. From 18.01.23, the Kent SEND Improvement and Assurance Board will provide additional assurance of the programme from key partners and Elected Members from a systems/partnership perspective.
- 9.5 In November 22, the programme created three SEND Transformation Operational Groups (established October 22) which are responsible for the delivery of the operational transformation activity that aims to improve SEND services for children and young people while ensuring services are sustainable for the future.

- Operational Group 1 – Health Related, MI Systems, and Post 16 & Alternative Provisions
- Operational Group 2 – Inclusion early years & mainstream; sufficiency plan, locality-based resources & predictive modelling
- Operational Group 3 – Parental engagement related activities, SEND process, structure and communication strategy

9.6 Each Operational Group is responsible for specific projects which contribute to an overall shared outcome. In December, the initial data capture on over 60 projects was completed, and monthly project level reporting is now underway. This has been essential to understand the current activity which is underway and how this contributes to the improvements we need to make. An initial focus on developing our depth of information at project level means there is clear oversight at an operational level of the broad range of activity underway, with each Operational Group reporting directly to the SEND Transformation Strategic Board.

SEND Transformation Initial Projects – as of Jan 23 prior to prioritisation		
Ops Group 1 Projects	Ops Group 2 Projects	Ops Group 3 Projects
<ul style="list-style-type: none"> <li>• Joint Funded Placement Review</li> <li>• The Balanced System Commissioning Framework</li> <li>• Speech, Language and Communications Needs Transformation</li> <li>• Hospital Schools</li> <li>• Thrive</li> <li>• Review of Therapy Services</li> <li>• SEND Therapies Qualified Provider List</li> <li>• County Approaches to Inclusive Education (CATIE) Dashboard</li> <li>• MI and Systems SEND Change Workstream</li> <li>• 16-19 Review Implementation</li> <li>• Preparing for Adulthood: Pathways to Independence Sufficiency Plan Development</li> <li>• Internal Tuition SLA</li> <li>• External Tuition SLA</li> <li>• NMIS Dynamic Purchasing System</li> </ul>	<ul style="list-style-type: none"> <li>• Supported Employment Offer</li> <li>• Autism Education Trust Autism Training and Strategy</li> <li>• Locality Based Resource</li> <li>• Local Inclusion Forum Teams (LIFT) Executive ToR Review</li> <li>• Provision Mapping</li> <li>• Review of Specialist Resource Provision</li> <li>• Transition Working Group and Establishment of Charter</li> <li>• Review of County Approaches to Inclusive Education (CATIE)</li> <li>• Review of STLS and LIFT</li> <li>• Sufficiency Plan Development (SEND Sufficiency Plan)</li> <li>• Review of Special Schools Admissions Criteria and Funding Bands</li> <li>• SEND Redesign Implementation Phase</li> <li>• Year R Pilots</li> <li>• Early Years Review</li> <li>• Whole School Nurture Service</li> <li>• Inclusion Leadership Service</li> </ul>	<ul style="list-style-type: none"> <li>• SEND Handbook</li> <li>• School Resource Directory</li> <li>• Phase Transfer and Changing to a More Inclusive Culture</li> <li>• Effective Kent Project: Evidence Based Training (Strand 1 and 2)</li> <li>• Education Health and Care Plans – Options to Increase Capacity in Writing, Reviewing, Amending or Ceasing</li> <li>• Prioritisation of Annual Review Backlog Phase 1 and 2 and Transition Phase 1</li> <li>• Prioritisation Annual Review Cases 16-19 Non-Maintained Independent Special School (INMISS) Transition</li> <li>• Communications Strategy with Schools and Parents</li> <li>• Set up of the Enquiries Hub</li> <li>• County Approaches to Inclusive Education (CATIE) Survey linked to Family Engagement</li> <li>• Decision Making Process for EHCNAs</li> <li>• Timescales and Workload for EHCNAs</li> <li>• Customer Experience within EHCNAs</li> <li>• Process Improvements for Annual Reviews</li> </ul>



9.7 The monthly reporting process for all projects is overseen by the Programme Team. All outstanding returns are chased for progress and poor data quality is being challenged and has been escalated as an issue with the SEND Transformation Strategic Board. From January 23, all reporting information is captured in a Microsoft List using automated reporting, so everything is visible and transparent in one place, including RAG status, progress commentary, key risks and issues and milestones. KPIs have also been developed for each project, which contribute shared outcomes.

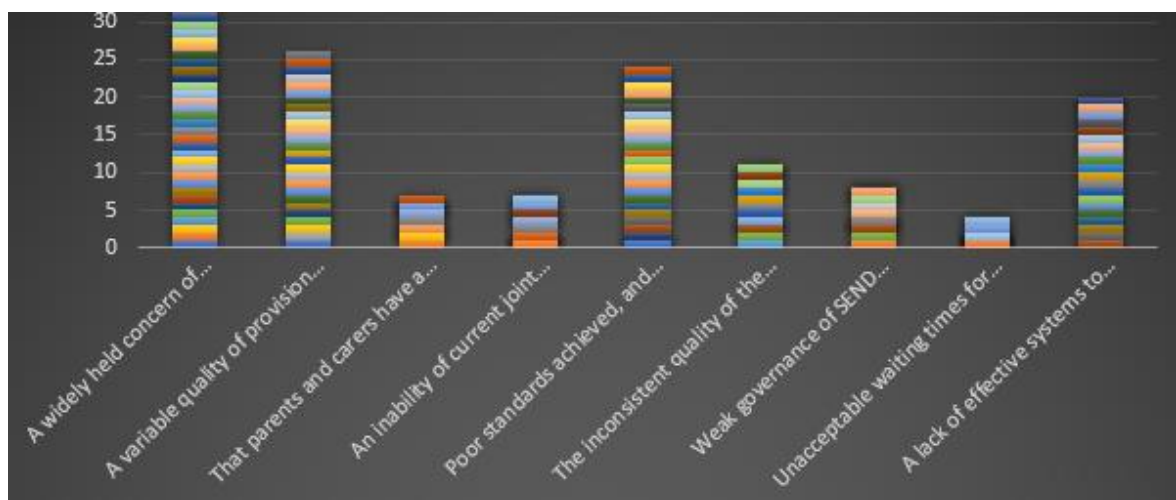
9.8 Informed by the initial project data capture, we recognised the urgent need to prioritise projects so the high impact projects which will directly contribute to improvement outcomes and financial sustainability are prioritised, both in terms of resource and oversight through the programme governance process.

9.9 A prioritisation framework was agreed by the SEND Transformation Strategic Board in December 22 and in January 23 we moved into a more detailed level of data capture on the projects, mapping against the 9 significant areas for improvement and financial detail including Safety Valve alignment, which has been co-designed by the Programme Team and Finance. This is also an automated process to maximise time within the service for project delivery.

**SEND Project Prioritisation Criteria**

- 1) Impact on Inspection Accelerated Progress Plan (double weighting)
- 2) Short term savings potential
- 3) Long term savings potential
- 4) Urgency to delivery
- 5) Reputational impact
- 6) Impact on Safety Valve recovery plan
- 7) Complexity of delivery
- 8) Staffing requirement to deliver (existing resource)
- 9) Staffing requirement to deliver (new resource)
- 10) Cost to deliver
- 11) Outcomes for children and young people

**Mapping projects against the 9 improvement areas to identify gaps and prioritise**



- 9.9 The outcome of the project prioritisation will be reviewed with the SRP Programme Board on 16.02.23 and the SEND Transformation Strategic Board on 20.02.23. This, alongside KPI data for each project, will also map out how different projects will have a grouped contribution towards a shared outcome, with detailed dependency mapping (including against the 9 significant improvement areas) and resource planning being undertaken in February on the top priority projects by the Programme Team. The prioritisation will inform the next phase of programme delivery.
- 9.10 The SRP Team is prioritising additional programme management support for the SEND Transformation Programme Team, in recognition that this is a critical priority for the Council. This means we can rapidly increase strategic support and capability to support in key programme tasks to accelerate progress and enhance corporate oversight. Active support in progress includes:
- Support for programme governance boards, including Operational Groups
  - Financial monitoring and analysis
  - Reporting and milestones
  - Prioritisation of projects
  - Dependency mapping
  - Stakeholder mapping and communications planning
  - Support for escalations and to resolve urgent issues (e.g., complaints)

***Actions to demonstrate pace since 2023***

Action	Owner	When
SEND Transformation Project Monthly Data Capture	LH	Jan 23
Building interactive Power BI dashboards for all project information	LH	Jan 23
Detailed project level analysis	LH	Feb 23
SEND Transformation Project Prioritisation	SH	Feb 23
SEND Transformation project and outcome dependency mapping	LH	Feb 23
Data capture for partnership projects	LH	Mar 23

***Actions from 3 to 18 months***

Action	Owner	When
Further enhance strategic programme management resources	SH	Apr 23
Develop outcome and improvement based monthly reporting	LH	Apr 23
Begin programme assurance reporting into new governance boards	LH	Apr 23

***Accountable Owner:***

Sarah Hammond, Corporate Director of Children, Young People and Education

***KCC Lead:***

Lynn Horsfield, SEND Transformation Programme Manager

## **A10. Financial Sustainability**

### ***Recognition of areas for improvement***

KCC is part of DfE's Safety Valve initiative due to Kent being a significant outlier in our financial deficit in comparison to other local authority areas. During the Inspection revisit, leaders identified that they have been significantly held back, over time, by weak bureaucratic processes, silo working and persistent financial disagreements. However, a change in approach to funding has helped to shift the focus away from the bureaucracy of budgets and is enabling the team to focus on the child or young person's individual needs in a more timely way.

### ***Progress from Inspection Revisit 2022 to February 2023***

- 10.1 From the start of our SEND Transformation programme, we recognised that this needed to be fully integrated with our work with DfE on Safety Valve to take whole council ownership of the system change required and the financial risks associated with not reforming services. We recognise that Safety Valve delivery is a 5-year endeavour in recognition of the size of the current High Needs Funding Deficit and the significant risks and challenges which Kent faces.
- 10.2 John Betts, an experienced financial consultant and Section 151 officer, is the joint SRO for the SEND Transformation Programme, leading on Safety Valve and financial sustainability. Sarah Hammond and John Betts worked seamlessly together on the detailed deep dive analysis with Newton Europe to inform the DfE Safety Valve bid, submitted in October 22. We are currently awaiting the Ministerial decision as to whether the suggested funding with the proposed action plan will be agreed and allocated.
- 10.3 It has been important to provide transparency and visibility of our financial position on Safety Valve, including updates to CYPE Cabinet Committee, Cabinet updates on High Needs funding (01.12.22), County Council (15.12.22), and Scrutiny Committee (Budget Monitoring Report, 07.12.22).
- 10.4 If successful, Safety Valve will require quarterly reporting through to DfE within an agreed format for such a financial commitment. The progress of the Safety Valve and financial monitoring for the SEND Transformation programme will have oversight through KCC's SEND Transformation Strategic Board, Strategic Reset Programme Board, and Kent SEND Strategic Improvement and Assurance Board.
- 10.5 We are continuing to work closely with our official body the Schools Funding Forum. In addition to our need to consult with them on financial matters relating to High Needs/SEND, we meet four times a year and have established a High Needs Sub-Group. It is important that we continue to demonstrate our partnership commitment by providing both Finance and SEND service representatives.
- 10.6 Karen Stone, Finance Business Partner, is leading on financial monitoring and oversight for the SEND Transformation programme. Karen has significant

experience of the High Needs and Schools budgets, and since September 22 she has worked to secure the transfer of the schools' budget from the schools block to the high needs block, supporting our priority for inclusion and alignment between SEND and Education. This will ensure that all schools contribute to collective responsibility for change.

- 10.7 To further support our inclusion approach, the Schools Stakeholder Group has been established and reviewed mainstream and specialist provision, sufficiency and financial policy.
- 10.8 Our 'Mainstream' project is helping to reset expectations on our policy to support local children in local schools within their community. We have reviewed the mainstream funding policy, so that this supports need for cohorts of children, in addition to meeting the requirements of individuals in EHCPs, with the most cost-effective funding. We have reviewed the funding with the Schools Stakeholder Group to maximise flexibility and creativity for schools to meet needs locally.
- 10.9 Our 'Special School Review' project has also started, reviewing the admission criteria for special schools so we focus specialist provision on children and young people with the most severe and complex needs, with more supported in their local community. This has a significant financial impact for the Council, so the project will lead into our sufficiency plan on what is required to support children's needs across Kent, with Finance reviewing the funding arrangements.
- 10.10 Our Locality Based Resourcing project is underway to increase transparency with schools on how money is being spent in their local area and to support commissioning in localities. We are taking a countywide approach to SEND, however Kent is a large and diverse county, and it is important to recognise differences at a local level. This project is breaking down financial data and reporting at a local and district level to allow schools to have a greater understanding of their impact, and to highlight schools' responsibility within their own budgets for supporting pupils with SEND. This is also enhancing peer to peer collaboration within local areas.
- 10.11 Karen Stone is leading financial monitoring for SEND projects, working closely with Lynn Horsfield, SEND Transformation Programme Manager, and Nicola Ttakoushis, SRP Finance Lead. A vital part of this is tracking the connection between project-level activity and financial information, and the Safety Valve objectives and targets which we must deliver to rapidly reduce our financial deficit. This can be a complex picture, with multiple projects contributing towards saving targets, or even individual high-cost support packages.
- 10.12 As part of the detailed SEND project prioritisation process in January-February 23, each project is being asked to provide detailed financial information about short and long-term savings potential, project costs, and impact on the Safety Valve recovery plan.

- 10.13 To ensure project leads provide robust financial information, direct support and financial assurance is being provided by the Finance Business Partner and SRP Finance Lead, who are undertaking the detailed analysis in early February 23. This prioritisation will ensure we focus on the activities with high impact savings potential, which will also bring down demand.
- 10.14 This will standardise how we monitor cost and the financial impact of projects on savings, also linked to KPIs. This will help Finance to focus on key areas of financial impact to reflect in the quarterly monitoring on Safety Valve.
- 10.15 Within the next 3 months, this detail will help us refresh our financial planning and modelling, including refresh of assumptions based on new project information and updated timescales. It will also enhance discipline and rigour with a standard financial reporting format.
- 10.16 Sufficient resource and expertise from Finance to support both High Needs and the transformation programme has been escalated by Sarah Hammond, to David Cockburn, Chief Executive, and Zena Cooke, Corporate Director for Finance. With immediate effect an additional Financial Analyst has been put in place to support the detailed financial work, but further strategic resources are being identified over the next 6 months.
- 10.17 Having enhanced our financial grip within KCC, we want to further strengthen the visibility, transparency and oversight of financial impact and implications at a system/partnership level. It is important there is a shared understanding of the scale of projects and the collective impact of activity for all our key partners, to provide system leadership on sustainability. We will address this gap through our new Kent SEND Strategic Improvement and Assurance Board.

### ***Actions to demonstrate pace since 2023***

Action	Owner	When
SEND Transformation project financial data capture	LH	Jan 23
Detailed project level financial assurance and analysis, aligned to Safety Valve	KS	Feb 23
Official notification of outcome from DfE Safety Valve bid	JB	Mar 23
Identification of priority financial impact projects, as a result of SEND project prioritisation	JB	Feb 23

### ***Actions from 3 to 18 months***

Action	Owner	When
Increased depth and rigour of financial monitoring for KCC projects	KS	May 23
Refresh financial model and assumptions, following financial close down	KS	May 23
Financial monitoring and transparency of partnership activity	KS	Jun 23
Strengthening additional strategic finance support for SEND	JB	Aug 23

***Accountable Owner:*** John Betts, Safety Valve SRO

***KCC Lead:*** Karen Stone, Finance Business Partner

## **A11. Outcomes, impact, and performance management**

### ***Recognition of areas for improvement***

The inspection revisit highlighted that leaders have not successfully addressed the lack of effective systems to review and improve outcomes for children and young people adversely affected by previous weaknesses in provision. While the introduction of the county-wide special school nursing service has ensured improved health and educational outcomes for children with the most complex health needs, there is a lack of oversight, knowledge, and quality assurance of wider outcomes for children and young people with SEND across Kent.

### ***Progress from Inspection Revisit 2022 to February 2023***

- 11.1 We have been developing our focus on our data quality, evidence base, and performance management, with personal leadership by Sarah Hammond to appreciate the importance of data with her CYPE leadership team. We are now building on this to drill deeper into the evidence of impact against outcomes for children and young people. We will use our evidence base to undertake deep dives into our key areas of weakness, to not only understand the surface level performance, but the root causes and underlying factors impacting them. For example, Sarah Hammond is personally leading analysis into the characteristics of the families who feature most strongly in our complaints and appeals process, so we can tackle this issue in a targeted way. Systematic opportunities to consider this data will be build into our governance arrangements to inform service planning.
- 11.2 The SEND Transformation programme is closely supported by CYPE's Management Information Unit (MIU) who provide professional, independent expertise on data quality and analysis, with additional expertise provided by the Continuous Improvement team in Analytics. MIU have been leading the development of dashboards since 2021, but since the Revisit they have further developed three levels of SEND Power BI Dashboards (Performance, Operational and Data Quality), with a financial dashboard for Safety Valve and Operational Group level dashboards to drill into project detail also in development.
- 11.3 To support SEND transition planning, we have developed Power BI dashboards to track packages for 15-17- and 26-year-olds, to inform commissioning of adult services, cost analysis and planning into the framework for adults' services.
- 11.4 MIU produce a comprehensive SEND Performance Report, linked to the live Power BI dashboard on critically important areas such as Education, Health and Care Plans (EHCPs), Open Cases and Annual Reviews. What is now different is the transparency and direct availability to senior leaders and everyone supporting SEND projects. The dashboards not only draw through live data, but crucially analyse historical monthly trends and enable managers to filter by Kent, Area and District, so we can assess our progress over time. This approach is already beginning to evidence short term trend improvements,

and although still in early stages, there are positive signs that the actions we are taking are beginning to yield tangible results (see Part B and C).

- 11.5 Data quality has been identified as a risk for the programme with the SEND Transformation Strategic Board. As a result, urgent work is now underway to strengthen data quality led by Katherine Atkinson, Assistant Director for Management Information and Intelligence and Elise McQueen, Assistant Director - Quality Assurance and Social Work Lead, including establishing a dedicated new SEND Data Quality Group.
- 11.6 In December 22, the SRP Programme Board asked for key measures to be developed to be able to monitor the progress and crucially the *impact* of improvement. Outcomes and Key Performance Indicators (KPIs) were gathered as part of the initial SEND project data capture and is being reviewed for further analysis by MIU to ensure data quality is robust.
- 11.7 The SEND Transformation Programme Team have worked together with MIU and the Evaluation team to define 5 critical KPIs to avoid diluting our focus on the metrics which will have the most meaningful impact on our areas for improvement. This will allow us to analyse trends over time, understand the impact the projects are having and to inform the SEND governance arrangements of any issues or where adjustments may need to be made.
- 11.8 In January 23, the SEND Transformation Strategic Board considered the proposed KPIs, using logic models to link the KPIs to goals and outcomes on areas which are critical to the Inspection Revisit and Safety Valve priorities. The Board agreed to progress with oversight of the 5 KPIs in the live performance dashboard and Performance Report on a monthly basis, supported by trend analysis, to demonstrate short term progress. This is available on the SEND Microsoft Teams site so all KCC stakeholders have visibility and live information, and will also be shared with the SEND assurance arrangements. The KPIs were reviewed by the SRP Programme Board on 02.02.23.

The initial critical KPIs include:

- *EHCPs issued* – to reduce the number of EHCPs in Kent, leading to children and young people being in the most appropriate setting and reducing the financial cost
- *Number of SEND open and overdue complaints* – to improve the experience for children, young people and parents, leading to higher levels of satisfaction and improved reputation for KCC
- *Number of annual reviews waiting over 12 months* – to ensure annual reviews are carried out on time, leading to children and young people being in the most appropriate setting and reducing the financial cost
- *Number of children and young people in Specialist Schools from Year 12 onwards* – to reduce the number of children and young people in specialist placements from Year 12-14 and reduce the number staying on in specialist placements post Year 14, to ensure children and young people are in the most appropriate setting based on their needs and to reduce the financial cost
- *Number of children and young people in Independent Specialist schools across all years* – to reduce the number in independent specialist placements

- 11.9 MIU are taking the opportunity to revisit the KPIs in the SEND Improvement Scorecard to produce a more focused set of KPIs that can be more tightly tracked and monitored through the new governance arrangements. They have grouped the KPIs into different sections/themes and have already baselined with December data. Given that individual months can be prone to fluctuation, they will provide the average for the whole of 2022, and for the last couple of months individually, so we can clearly see if the direction of travel for the last quarter is positive or negative compared to the whole year average. This will provide an informed basis for our target setting.
- 11.10 MIU have committed to undertaking a wider piece of work to do around how we use data in our governance arrangements, reviewing other valuable data sources, not available monthly and not featuring in partnership KPIs, that will provide vital context for our priority setting and understanding of challenges (for example, annual attainment and progress data, JSNA data). They consider how the contextual data will work alongside KPIs so it can be scrutinised and understood together to ensure the governance have rigorous monitoring, as well the wider data/context understanding.
- 11.11 In addition to this, it is important we consider other measures to track progress on key elements of the programme such as communications and engagement, risks, and impact within projects. Within KCC we are developing:
- Key qualitative measures for the priorities in the SEND Communications and Engagement Strategy (including child and young person’s voice, experience, and feedback), working closely with Operational Group 3, MRX and Analytics
  - Key risk indicators, linked to the SEND risk register, working closely with Corporate Assurance and Risk
  - Contextual indicators, to provide wider context for factors driving demand
  - Key financial indicators and targets for financial sustainability, working closely with Finance as part of Safety Valve
  - Outcomes and KPIs at individual project level, working closely with project leads to reflect this in monthly reporting (e.g. EHCPs within 20 weeks)
  - Measuring the impact of cultural change, with MIU and HR/OD
  - Customer feedback and complaints measures, working closely with the Enquiries Hub, Quality Assurance and Customer Feedback team
  - Quantitative and qualitative audit and quality assurance measures
  - Other quality and outcome measures, to support the critical KPIs
- 11.12 An example of an effective short-term data improvement project is the CATIE (Countywide Approach to Inclusive Education) dashboard which is a district-level data dashboard to share with schools to enable them to compare themselves to key information that links to the inclusion agenda. We are working with our school partners to create a school level dashboard that can be used to further support and inform commissioning decisions. The data from the dashboard can be used to measure impact of the inclusion programmes which schools have been involved with over the past year.



- 11.13 At the initial SEND assurance meeting on 18.01.23, partners recognised the importance of clear KPIs for all 9 significant improvement areas, from a partnership/system wide perspective, in addition to KCC's own KPI responsibilities. They committed to revisit KPIs and the supporting data/evidence every month. Partners noted the risk of diluted assurance and accountability if performance was monitored via separate sub-groups and felt the visibility of this was important at a strategic partnership level.
- 11.14 Partners committed to developing KPIs to monitor activity, the impact of activity and the evidence of impact (the 'how will we know?' test), including the opportunity for parents/carers to review impact data), with challenge on the rigour of this provided by the independent Chair. Partners provided information by 25.01.23 which was reviewed by Katherine Atkinson, Assistant Director of Management Information and Intelligence, who will act as an expert adviser on performance to the new assurance arrangements. Part C sets out the KPIs at system level are linked to each improvement area.
- 11.14 In February, further analysis is being progressed with MIU to develop the link between KPIs and all 9 significant improvement areas, including connection to key areas of the Parental Survey, clear baselines and targets for 3, 6 and 12 months. This will be a key priority to evidence the impact and effectiveness of project activity at both an outcome and improvement priority level. We are also working to review emerging themes and issues using our data and enhancing our current dashboards to bring datasets together, and improve reporting and monitoring in specific areas, for example daily reporting on SEND complaints as the reporting is currently a manual monthly process.

### ***Actions to demonstrate pace since 2023***

Action	Owner	When
Critical KPI agreed	KA	Jan 23
Initial analysis of KPIs shared by all partners	KA	Jan 23
Key measures tested with SRP Programme Board and KENT SIAB	KA	Feb 23
Key measures for SEND Communications and Engagement Strategy	TG	Feb 23
Detailed analysis of KPIs against all improvement areas	KA	Feb 23
KCC Performance Dashboards build completed	KA	Mar 23
Spotlight on SEND performance and data to SRP Programme Board	KA	Mar 23

### ***Actions from 3 to 18 months***

Action	Owner	When
Partnership Performance and Assurance Dashboard development	KA	Apr 23
Outcome measures defined	KA	Apr 23
Implementation of the CATIE dashboard	KA	Jun 23

**Accountable Owner:** Sarah Hammond, Corporate Director of Children, Young People and Education

**KCC Lead:** Katherine Atkinson, Assistant Director of Management Information and Intelligence

## **A12. Risk Management and Mitigations**

### ***Recognition of areas for improvement***

The Inspection Revisit noted a number of areas in governance and leadership were weak, including no commonly understood and shared planning to secure essential improvements and a weak understanding of the seriousness of the issues and unsustainable position in Kent. It noted that governance boards had been ineffective with superficial levels of detail on the impact of actions, lack of scrutiny and challenge, and weak minuting and informative records. Although risk management is not explicitly mentioned, KCC has recognised an urgent need to strengthen and mature our risk management and mitigation arrangements for SEND. The Draft Improvement Notice referenced the need for a regularly updated risk register and risk mitigation plans.

### ***Progress from Inspection Revisit 2022 to February 2023***

- 12.1 We appreciate the importance of effective risk management and the need to rapidly improve delivery confidence in SEND. Since the Inspection Revisit, risks, issues, and mitigating actions are being defined at both project and programme level across the SEND Transformation programme. The SEND Transformation Strategic Board is where programme-wide risks and mitigations are now discussed, along with escalated risks and issues from the operational working groups. The SRP Programme Board provides the corporate escalation point for the senior leadership risk response. Partnership and system-wide risks will be considered by the Kent SEND Strategic Improvement and Assurance Board from February 23.
- 12.2 A risk escalation process has been agreed and risks/issues are being escalated as appropriate within the agreed SEND Transformation governance from the Project Leads, SEND Transformation Operational Groups, and SEND Transformation Programme Team (see *Section 5, Governance*). Examples of recent escalations with resulting management action include data quality, complaints, recruitment challenges, and programme resources.
- 12.3 The Corporate Assurance and Risk Manager, is now a member of the SEND Transformation Strategic Board to provide professional, expert advice on risk management, delivery confidence, consistency with KCC's Risk Strategy and Policy and to ensure alignment with Corporate Risks (including High Needs Funding risks on KCC's Corporate Risk Register which links to Safety Valve – a core element of the SEND Transformation programme).
- 12.4 At a programme level, the risk register was created in January 2023 by the SEND Programme Manager and SEND Programme Officer, building on several key risks identified at the SEND Transformation Strategic Board and highlighted to the SRP Programme Board in December 2022. It is updated to reflect any changes as and when they occur and is made available to the SEND Transformation Strategic Board and Operational Groups via the Teams site, so there is full transparency and visibility of risk.

- 12.5 From January to February 23, KCC's Corporate Assurance and Risk team reviewed the risk information within the SEND programme and projects from a delivery confidence perspective, in order to identify areas for improvement, including effectiveness and impact of mitigations, appropriate logging of risks and issues, escalation of workstream level risks, and effectiveness of risk controls.
- 12.6 The Corporate Assurance and Risk team are providing additional support to the SEND Transformation Programme Team to further strengthen risk management practices and highlight the need for risk to be a standing item for all governance board meetings, with effective tracking of mitigating actions and the impact of mitigations. We will also engage with our Internal Audit function, as part of an integrated assurance approach, including building on the lessons learned from their recent work on SEND Transport.
- 12.7 In addition to strengthening programme and project risk management, service delivery and operational risks are reported via "business as usual" divisional registers to enable consideration of interdependencies, as well as through the Directorate Risk Register to CYPE Cabinet Committee, providing oversight from Non-Executive Members (A5). The need to further improve the visibility of both transformation and operational risk for SEND is recognised.
- 12.8 The Corporate Assurance and Risk function leads a Delivery Confidence Review process, based on best practice from the Government's Infrastructure and Projects Authority, as part of an integrated and embedded assurance approach. This provides objective, independent yet supportive feedback and clear recommendations which intend to strengthen delivery confidence and effectiveness within the programme. This ensures risks are not considered in isolation, but as part of a more strategic view informed by KPIs, qualitative evidence and contextual indicators (e.g., vacancy and sickness rates). This helps to provide a clear baseline for improvement and early warning of any areas of delivery risk. A Delivery Confidence Note will be delivered in February 23. Progressing to a full Delivery Confidence Review by April, informed by project prioritisation.
- 12.9 To complement effective Key Performance Indicators (KPIs), various sources of operational activity and other management information are being reviewed in order to develop Key Risk Indicators (KRIs) that provide objective evidence to support risk assessments and give assurance as to the effectiveness of mitigating actions. This will be an iterative process where KRIs continue to be developed in the context of each risk as it is entered onto the Risk Register, with the exception of a few risks that are likely to be present throughout the whole of the programme's life.
- 12.10 At a project level, the SEND Transformation Programme Team have ensured that questions on risks and issues are included in the mandatory Project Data Capture forms, which inform project reporting on a monthly basis. This is then aggregated and shared with the SEND Transformation Operational Groups

responsible for the oversight of those projects and they report this to the SEND Transformation Strategic Board.

- 12.11 At a leadership level, the Strategic Reset Programme continues to highlight significant risks and issues for SEND, as part of monthly highlight reporting to the Leader, Deputy Leader, and SRP Programme Board, with commentary on areas for improvement, to enable active senior leadership discussions and decision-making regarding mitigations.
- 12.12 On 18.01.23 the initial SEND Assurance meeting agreed with all partners to define the partnership and system wide risks in February 23, so these can be closely monitored and mitigated through the new governance arrangements. This will be supported by robust mitigation plans and tracking of mitigating actions through the partnership governance process.
- 12.13 We will continue to mature the understanding of risk management with both KCC project leads and key partners, through targeted training and development workshops which are being designed by the Corporate Assurance and Risk Manager with advice from HR/OD, to ensure we share what works and rapidly improve our practice.

### ***Actions to demonstrate pace since 2023***

Action	Owner	When
Risk put as a standing item for discussion on each SEND Transformation Strategic Board, including progress on specific mitigating actions at both programme and project level	SH	Jan 23
Corporate Assurance and Risk review of SEND Transformation risk information, including risk register and project level risk information	MS	Jan-Feb 23
Corporate Assurance and Risk delivery confidence note for SEND Transformation Strategic Board	MS	Feb 23
Corporate Assurance and Risk provide additional support and advice for SEND Transformation Programme Team	MS	Feb 23
Review SEND-related service level risk registers to check for appropriate visibility, raising any issues to senior management	MS	Feb 23
Strategic Reset Programme Board discuss key risk areas for SEND and agree senior leadership response	SH/JB	Feb 23
Partnership and systems risks defined with Kent SEND SIAB	SH	Mar 23

### ***Actions from 3 to 18 months***

Action	Owner	When
Develop a Risk Management Strategy for SEND, to ensure clarity of risk management arrangements for stakeholders.	SH	Mar 23
Delivery Confidence Review	MS	Apr 23
Risk management workshop with partners	MS	Jun 23
Key Risk Indicators developed and monitored	SH	Ongoing

**Accountable Owner:** Sarah Hammond, Corporate Director for Children, Young People and Education

**KCC Lead:** Mark Scrivener, Corporate Assurance and Risk Manager

## Part B:

### Response to the Minister's priorities for improvement and Draft Improvement Plan



*This section directly responds to the priorities for improvement within the next 6 weeks, as set out in the letter from Claire Coutinho MP, Minister for Children, Families and Wellbeing, Department for Education on 12<sup>th</sup> January 2023 and the draft Improvement Plan.*

- B1. Parental confidence to meet children's needs
- B2. Quality of provision and commitment to inclusion in schools
- B3. Area wide ambition for children and young people with SEND
- B4. Waiting times for children on the neurodevelopmental pathway
- B5. Timeliness and quality of EHC Plans

## **B1. Parental confidence to meet children's needs**

### ***Recognition of areas for improvement***

Parental confidence in the local area's ability to meet their children's needs is low. Three quarters of parents who completed Ofsted's inspection survey said that they do not feel supported by the local area in identifying and providing the right help and support for their child with SEND. Parents repeatedly told inspectors about their poor experiences, particularly of poor communication and difficulty getting information from staff either by phone or email. Parents consistently describe a system that is inconsistent and too hard to navigate, and that there is a lack of response when they complain or seek help.

Parents do not feel that there is accountability in the area's SEND systems. On both a strategic and operational level, there is a lack of parental involvement in designing and shaping services. Parents said that their views were not heard or acted on, and they do not feel involved in making decisions about their child. Many parents consider that their children's views are not represented well, that EHC plans do not reflect need and that their child's needs are not met well within their current setting.

### ***KCC Actions***

- 1.1 Rebuilding parental confidence and trust is essential to our improvement. This priority is closely linked to Part C1 (local area is not able, or not willing, to meet their children's needs). Within the SEND service we are developing an early intervention/support strategy designed to build parental confidence and avoid the need for a statutory EHC needs assessment.
- 1.2 By October 23 we will have improved access to, and availability of, educational psychology services and ensured that all training and development for SEND officers incorporates and addresses the principles of the child's voice and co-production with parents/carers.
- 1.3 In Part A1 and A7, we set out how our Communications and Engagement is focusing on the experience of parents, extending our participation reach with more parents and carers, and targeting our communications to meet their needs more effectively. The new SEND Communications and Engagement Strategy has been shaped by our partners and sets out how we will work with parents on the improvement of SEND services in Kent. One of our primary objectives is improve the quality and the experience of personal interaction that parents can expect to have with us.
- 1.4 We are making immediate improvements in resources for parents, including the SEND Information Hub (Kent's Local Offer), Kent and Medway NHS Website, social media and SEND Parent Newsletter (next edition on 08.02.23). We are promoting the support, advice, and information available to parents at key points through the academic year, such as when choosing a school place, making an application, settling into school, or transition into adult services.

- 1.5 We must do more than information, advice and guidance, and actively involve parents in the design of services and decision making. Our co-production charter sets out how the local area will collaborate with parents. This is complemented by a new Engagement Framework which sets our expectations for the way we will engage with parents to ensure their views and experiences shape what and how we do things. This includes who, when and how we will engage, how to access insight from feedback and how we will share what we have learned and how this has influenced what we do. This will provide opportunities for other parent-led charities and organisations to have an input on specific SEND solutions, which recognises the diversity of SEND and under-represented communities.
- 1.6 In Part A8, we set out how we have rapidly put in place additional resources to support a new Enquiries Hub, which goes live in March 23 with a dedicated team who will be able to respond to queries from parents and carers. The Enquiries Hub will first tackle failure demand – reducing complaints and increasing the response time to parents. However, our ambition is for this to develop into a value-added service with staff able to highlight different options to parents and carers, maturing into a SEND family information centre.
- 1.7 We have put in place a specific project to improve the parents' experience within the EHC Needs Assessments process. Letters that are sent to parents when decisions are made not to assess or not to issue, have been reviewed to have a greater focus on communicating the decision and what support parents and families can receive. This has highlighted the importance of giving parents/carers confidence on the next steps for their child. To complement this, we are also developing a new project to strengthen practice and promotion of Ways Forward meetings.

### ***Partnership Actions***

- 1.8 By March 23, Dame Eileen Sills has committed to developing children and young people, parent, and carer surveys to measure the impact of parental confidence in NHS services.
- 1.9 Kent PACT are developing a co-produced communications policy that is open, transparent, parent/user friendly, timely, and clearly structured, so everyone knows what to expect when and staff can be held to account. The process will begin with a co-produced review of all parent communications to assess if they are fit for purpose.
- 1.10 In Part A1, A3 and A7, we have set out the actions we are undertaking with the Council for Disabled Children in the RISE Programme which will extend our participation and engagement reach, to increase parental confidence.

### ***Early signs of impact***

More detail on our key performance indicators for parental confidence is set out in Part C1.

We have been working to provide more information to parents about the statutory assessment process, and to encourage more conversations with their child's school and SENCo, prior to requests being made. We have a high rate of requests for statutory assessments coming from parents, and we are hoping our new guidance will reduce this as if parents are working in partnership with their child's school and have more confidence in the whole SEND system, these numbers should reduce.

Since October 2022, these proportions have started to reduce, and while it is too early to be confident this trend will continue, we are currently seeing between 40-50% of requests coming from parents, when previously this was always above 50%, often accounting for up to two-thirds of requests.



## **B2. Quality of provision and commitment to inclusion in schools**

### ***Recognition of areas for improvement***

There is a widely held view among parents that secondary schools are not inclusive, and parents worry that their children would not cope in those environments. Consequently, this adds weight to the view that the only way to ensure children's needs are supported is to secure an EHC plan before they leave primary and to request a place in a special or independent school.

Parents have shared their concerns about the lack of access to, and availability of, services such as speech and language therapy and the educational psychology service, and the lack of help for children and young people with anxiety and social, emotional, and mental health needs. There is still too little consideration given to preparing young people for adulthood.

### ***KCC Actions***

- 2.1 Our progress on inclusion is a key theme throughout Part A, including our partnership response with the education sector (A3), leadership and management changes to focus on inclusion and strengthen the relationship between education and SEND (A2 and A4) and workforce development, including the Countywide Approach to Inclusive Education (CATIE) (A6). Christine McInnes, Director for Education and SEN will lead enhancing the quality and impact of our inclusion approach. This priority is closely linked to Part C2 (variable quality of provision and commitment to inclusion in schools).
- 2.2 At our first partnership assurance meeting, partners recognised the importance of broadening our engagement within the education sector, with particularly positive early progress with Special Schools, Academy Trusts, and FE Colleges. We are already seeing the benefit of this new approach. In terms of our commissioned services, we are seeing early successes with 74% of schools involved in SEND development work, so we are now moving into a more targeted approach with other schools. Inclusion is the primary focus for our transformation projects in KCC's Operational Group 2, with examples below of recent progress.
- 2.3 We are undertaking a review of the Specialist Teaching and Learning Service (STLS), which supports mainstream schools to develop capacity in supporting pupils with SEND, across 12 districts. STLS delivers specialist and targeted support which includes training, one-to-one support, and support with transition. A new Service Level Agreement (SLA) has been in place with the service since September 22. KPIs to measure the impact of the project have been agreed with KCC's Analytics team. From term 3 onwards, all KPIs will be collated through SharePoint to enable better performance monitoring of the service. All districts are undertaking a financial audit and providing input on resourcing.
- 2.4 We are working with the Autism Education Trust on the 'AET Autism Training and Strategy' project, which is a training programme using AET licenced materials and resources to promote the greater inclusion in early years, mainstream, and post-16 settings of children and young people with autism. This

includes more targeted and specialist training options developed for teaching staff to improve their skills and knowledge to provide the right support for children and young people so that they are supported and better understood and can thrive by being successfully educated in mainstream schools. An implementation plan is in place and the training roll out began in January 23, led by the Lead Trainer, with induction and training for other trainers set to complete in March 23, followed by a transition to core business.

- 2.5 The 'Inclusion Leadership Service' project is underway to help build capacity to lead improvements in and strengthen inclusive practices in mainstream primary and secondary schools. Performance monitoring has now been strengthened and in February 23, service legacy planning will help to ensure sustainability.
- 2.6 The 'Year R pilots' project is developing confidence in mainstream school leaders and parents that children's SEND needs can be met in mainstream schools. Two pilots started in September 2022 in Ashford and Maidstone primary schools, with a view of looking at support in mainstream schools for children who might otherwise have gone to special schools. KCC's Analytics Team is evaluating the pilots and has presented an interim update of early learning.
- 2.7 Our 'Pathways to Independence – sufficiency planning' project is looking at different pathway options for young people with SEND Post-16. The long-term aim is an increase in young people attending local mainstream provision or specialist provision. This builds on the positive engagement with FE colleges in December (A3). Priority areas have been agreed, working groups are underway and by the end of term 5 we will have action plans in place for:
- Promoting benefits and raising awareness of opportunities in mainstream for post-16 young people with SEND.
  - Developing and implementing a more refined process for consultation and transition for young people post-16 with SEND.
  - Developing a strategy to address the significant number of young people accessing independent and out of county provision.
- 2.8 The SEN Sufficiency Plan project is producing a provision plan to ensure sufficiency of specialist places including special schools, aligned with our Safety Valve aims. In February 23 we are undertaking research to understand the current provision, covering educational phases, variety of provisions, legislation, localities, and gap analysis. By April 23, the analysis will be completed with the new Sufficiency Plan to be in place for May 23.
- 2.9 We have set out specific inclusion actions within our SEND Communications and Engagement Strategy, including encouraging family engagement awards and championing the take-up of training and development offers among schools and settings. In short order, we will be promoting the range of support available in schools and settings for children and young people – without the need for an EHCP – to parents/carers and to professionals. Short term actions include producing a Benefits of Inclusion document in February 23, producing video interviews with teachers, pupils, and parents to illustrate the benefits of inclusive practice and targeted communications about changes in inclusion roles by March 23.

2.10 We are also promoting best practice classroom and teaching techniques and the specialist intervention and additional support available for those with more complex needs. This is completed by our review of communications sent to young people, parents/carers, settings, and schools to support smoother transitions to and between schools and settings (phase transfer).

**Partnership Actions**

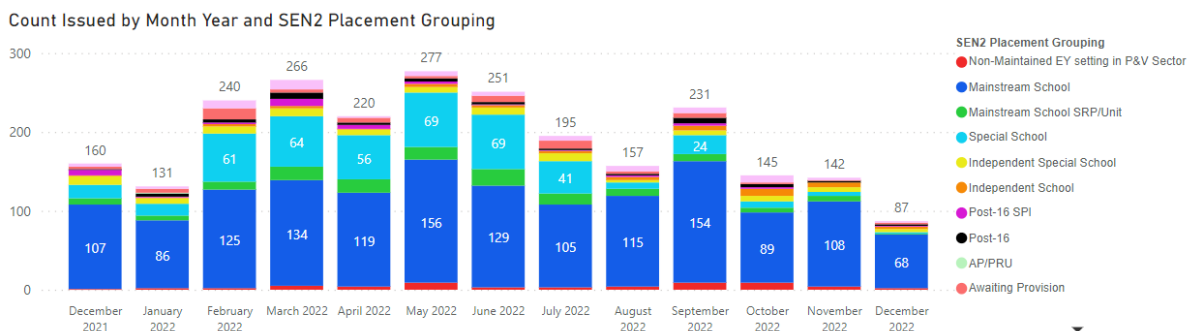
2.11 Kent PACT have committed to a co-production approach to design and deliver a SEND skills audit for all schools to complete for leadership, teaching, non-teaching staff, and governors. They are identifying SEND flagship schools and supporting the roll out of peer-to-peer support to improve standards. They intend to co-produce a countywide SEND ethos that all schools can sign up to.

**Early signs of impact**

More detail on our key performance indicators for inclusion and other measures we are developing is set out in Part C2.

As part of our work to improve the inclusive approach to education within our mainstream schools, we are closely monitoring the school placements made for pupils with newly issued EHCPs. Kent is an outlier compared to other local authorities with a far higher proportion placed in specialist provision, and we are working in partnership with our schools to effect positive change.

This is already having impact, and an early encouraging short term improvement is the proportion of new plans specifying special schools has decreased significantly since August 2022. This directly supports our aims in Safety Valve to increase mainstream support in local communities and research that mainstream provision is usually in the best interests of outcomes for the majority of children and young people.



We will be analysing this trend further to explore normal seasonal variation and actual reduction in use of special schools, and the reasons behind the change.

We will closely monitor any potential connection with parental feedback, complaints and tribunal appeals as we appreciate this change can be controversial with parents and needs to be sensitively managed in line with our SEND Communications and Engagement Strategy.

### **B3. Area wide ambition for children and young people with SEND**

#### ***Recognition of areas for improvement***

There is no commonly understood, or agreed, area-wide ambition for children and young people with SEND. There is an absence of shared strategy and planning to secure essential improvements. The array of projects and plans at different stages of construction, reconstruction, or implementation, combine to generate the current sense of uncertainty.

#### ***KCC Actions***

- 3.1 In 2020, KCC developed a new SEND Strategy (2021-24) to support the Written Statement of Action, co-produced with parents and families, and partners (e.g., NHS, Healthwatch and Kent PACT). The strategy was reviewed by the former SEND Improvement Board before consultation and decision making.
- 3.2 Of the 290 consultation responses, 47% of respondents were parents and carers of a child or young person with SEND. Only 2% of respondents identified themselves as being SEND. 90% of respondents agreed with the vision, 90% of respondents agreed with the priorities and over 84% of respondents agreed with the outcomes.
- 3.3 The strategy then moved into delivery, but the Inspection Revisit in September 22 highlighted the lack of area wide ambition and understanding of the strategy with partners, supported by shared strategy and planning. The co-production approach for the strategy is something to celebrate and build upon, however we recognise and accept that we need to enhance participation and ownership of the strategy with a broader range of children, young people, carers and families, and partners, with a much sharper focus on the tangible impact of actions that underpin the strategy.
- 3.4 The co-production approach will be further enhanced by our Co-Production Charter and Engagement Framework, including more direct engagement with children and young people themselves.
- 3.5 Christine McInnes, Director of Education and SEN has committed to a review and refresh of the current strategy, without losing the essence of the vision, priorities, and outcomes that people told us were important to them through the co-production phase. Christine is also leading a review of a broad range of strategies and policies (including Early Years, Education and Sufficiency Strategy – see Part A3) to ensure that they fully align with our SEND Strategy priorities.
- 3.6 We will ensure the refreshed SEND vision and strategy is much clearer on our core policy ambition to increase pathways to independence, focus special school provision on those with the most complex and severe needs, and educate most pupils close in their home in the nearest mainstream setting in their community.

This policy position is supported by a robust academic evidence base that confirms this is in the best interests of children and young people and will lead to better long term outcomes. We will build the understanding and awareness of our vision and strategy across the whole system, and with all partners.

3.7 It is vital there is a clear 'golden thread' from our strategy, through to the programme and project level delivery, both within KCC and at a system/partnership level. The last few months have focused on re-building the depth and quality of project level information, we are now using the prioritisation process (A9) to draw out the connections between delivery activity and strategy priorities and outcomes, to build a much clearer and more coherent area wide approach.

3.8 Any new projects will require a business case approach, which should clearly state the strategic case for change, including alignment with the strategy.

### ***Partnership Actions***

3.9 At the first partnership assurance discussion on 18.01.23, partners recognised that we have a gap in a whole system strategic narrative for SEND, with clear measurement of impact. They gave their full support for the current strategy to be reviewed and refreshed, building on co-production and participation.

3.10 At the discussion, partners also recognised that we could do more to clearly define our strategic intent to work with the education sector, including inclusive representation from early years to further education, enhanced engagement with Schools, Academies, and the Regional Schools Commissioner to value and listen to the challenges the sector is facing, and greater involvement in shaping strategies and decision making.

3.11 KCC agreed to immediately strengthen education membership on the new assurance arrangements and for Christine McInnes, Director of Education and SEN to set out an updated vision/approach within the next 6 weeks.

3.12 By March 23, NHS partners have committed to the inclusion of SEND in the Kent and Medway Integrated Care Strategy and 5 Year Plan as part of their NHS system leadership role.

3.13 As the SEND Strategy is reviewed and refreshed, we will develop more tangible measures of progress and impact against the outcomes, priorities, and actions which need to be delivered. There will be engagement and assurance of this through our partnership governance arrangements and broader engagement networks.

## **B4. Waiting times for children on the neurodevelopmental pathway**

### ***Recognition of areas for improvement***

The particularly unacceptable waiting times for children on the neurodevelopmental pathway have not improved. Extensive waits, for up to four years, impact on education provision and access to other services cause immense stress to children and families. Parents have shared their concerns about the length of wait for diagnoses. Adverse effects of the pandemic have included a reduction in face-to-face appointments. Parents and school staff are of the view that online assessments do not reliably result in helpful advice and can therefore impede next steps in securing precisely the right support.

The Inspection Revisit recognised improvement progress with positive plans and actions from partners to provide a 'needs-led' help and support offer for families awaiting diagnosis, however the long waiting times for individual assessment remain highly problematic. Attention deficit hyperactivity disorder services across Kent remain fragmented, particularly around medication reviews and the inequity is felt deeply by those families with less support. Extremely long waiting times are leading some schools and families to buy private assessments or counselling sessions. Families, schools, and local area leaders spoke about this as deepening the inequality of opportunity for children and young people in Kent as many families cannot afford to do this.

### ***KCC Actions***

- 4.1 We recognise that the primary lead for the neurodevelopmental pathway is Kent and Medway Integrated Care Board, but that this is a critical priority in terms of partnership working and joint commissioning for the Council. This is an area where we are very much working together as one system – further detail on our partnership actions is set out below.
- 4.2 Within KCC since May 2022, we have commissioned a new parenting support offer for parents with neurodiverse children on the pathway to a diagnosis, to offer timely intervention by parent facilitators with lived experience. Three pilots are currently underway, to explore better information provision to parents and carers before diagnosis and testing a new multi-disciplinary diagnostic model focusing on 0–5-year-olds. We have used an innovative commissioning arrangement with School Health Service in the Kent Community Health Foundation Trust, maximising flexibility in the public contracting arrangements.
- 4.3 The neurodevelopmental pilots are providing vital insights on which interventions are most effective and this will inform our future commissioning. This new service will continue to develop its outreach offer through the delivery of our Family Hubs model.
- 4.4 In October 22, we adopted the iTHRIVE framework across Kent and Medway which sets out children and young people's mental health support in Kent. It provides information, advice, and guidance to services for parents, schools, children and young people, including those with neurodevelopmental needs. This was in response to feedback from young people who told us it can be

difficult to navigate to the right support. It talks about the support available in a common language that everyone understands. This provides information for schools, settings, and practitioners on how they can adopt a whole setting approach. The Integrated Care Board is now funding a post within KCC to specifically focus on the four iTHRIVE quadrants and ensure services are more accessible first time to children and young people.



- 4.5 We are delivering the ‘Review of Therapy Services’ project to address the shortcomings resulting from insufficient therapy services capable of integrated service delivery models, and to simplify and improve the journey for families in accessing additional SEND services. In January 23, project leads have started data analysis with KCC’s Commissioning and Analytics teams, and stakeholder engagement to understand what opportunities there are in the therapy area. The Assistant Director is tackling short term recruitment issues in the SEND Therapies team by re-assigning time and capacity to deliver responses and evidence and accelerating the recruitment to enhance the team functionality.
- 4.6 We have also moved into the implementation of the ‘SEN Therapies Qualified Provider List’ project. This will deliver a qualified provider list to bring stability to the market and establish standard terms and conditions for all suppliers. This will result in improvements to contract management tools and remedies available and ensure a minimum standard of supplier capability. We are making good progress – the project has been consistently Green on impact status over the last couple of months and is now 75% complete, with the majority of therapy providers used by SEND services now on the Qualified Provider List.
- 4.7 A relationship has been established with local universities, with working being undertaken to place Speech and Language, Occupational Therapy and Physiotherapy students in local schools and settings as part of their courses. This model is well established in initial teacher education and often leads to graduates being offered teaching jobs in Kent – we are hoping we will also see this benefit for therapy students.

**Partnership Actions**

- 4.8 Partnership and system working is essential to our improvement on neurodevelopmental pathways, and we have made particularly strong progress in our partnership working with health, enabled by the Integrated Care Board (ICB) and the supporting Kent and Medway Children’s Integrated Partnership Board, which will have a direct relationship to our new Kent SEND Strategic Improvement and Assurance Board.
- 4.9 Our health partners have recognised that the previous commissioning arrangements were unsatisfactory and could, and should, be done differently. Jane O’Rourke, NHS Interim Director of Children’s Services is personally sponsoring the changes to our joint commissioning practice in this area.

- 4.10 The enhanced joint governance structure in the ICB provides an opportunity to strengthen system leadership for neurodevelopmental pathways, with dedicated leads in Sue Gibbons, lead commissioner for SEND, and Sue Mullin, the lead for Mental Health on the ICB.
- 4.11 In July 22, a neurodevelopment pathway deep dive review into waiting times and access was undertaken. By December 22, we used the deep dive review insights to create a robust shared strategic plan, including actions for joint commissioning improvements with health.
- 4.12 The deep dive has helped to prioritise those currently waiting on the pathway, so we quickly prioritise Looked After Children and children and young people known to Early Help and Social Work services with Neurodevelopment and additional needs. We have linked the prioritisation of those on the waiting list to our newly commissioned Together with Parents service (A1), delivering support for families Kent wide that builds resilience and self-help strategies.
- 4.13 Before any new cases join the waiting list, we will first offer Together with Parents support such as parenting courses to assess if these interventions to help manage behaviours within the home and mainstream environment can provide initial help. We believe this approach will reduce future demand for the Neurodevelopmental pathway.
- 4.14 In early February 23 KCC, Health partners and providers met to establish a Health SEND Network, to provide a more consistent strategic commissioning response. By December 23, Health have committed to fully implementing a joint funding review in KCC and the Integrated Care Board, and to establish shared mental health and Learning Disability and Autism pathways. We will be working with Health partners to support this in as timely a way as possible.
- 4.15 Health have commissioned a lived experience specialist to look at our neurodevelopmental pathway, to inform our future commissioning arrangements. This will be important to learn from the direct experience of children, young people, and their families to inform service improvement for those seeking an assessment for neurodevelopmental issues.
- 4.16 We are very much focused on building an integrated workforce on this issue, particularly for children's emotional wellbeing and mental health services. The figure below illustrates the strength of the joint team between KCC, Medway Council, and Health, including 'associate roles' within the local authorities linked to the commissioning cycle and part funded by the Integrated Care Board.
- 4.17 Together this team is delivering the long-term Children and Young People's Mental Health Transformation Plan which was refreshed last year and launched in October 22. This team now includes Tora Gubbins, a dedicated Programme Manager for the Neurodevelopment Pathway in NHS, who started in August 22.



## Joint Health and KCC team for children's emotional wellbeing and mental health services



### **Early signs of impact**

More detail on our key performance indicators which relate to the neurodevelopmental pathway is set out in Part C8.

KCC's Public Health team have increased investment in the children and young people's counselling service, supporting a number of children and young people with neurodevelopmental issues, delivered by Kent Community Health NHS Foundation Trust. As a result of the increased investment the wait time which previously has a target of 12 weeks, has reduced to an average of 6.67 across Kent and is on track to be 6 weeks by March 23 (our revised contractual target).

However, we accept that waiting times for the neurodevelopmental pathways for too many children and young people are still unacceptable. Katherine Atkinson, Assistant Director in the Management Information Unit, approached Health at the end of January 23 to share further intelligence on trends in waiting times, to inform our joint partnership action on this issue.

## **B5. Timeliness and quality of EHC Plans**

### ***Recognition of areas for improvement***

On an individual level, co-production, including with parents, carers and children and young people, is still not always achieved through the EHC assessment, planning, and annual review process. Parents express concern about recent plans being 'rushed' and 'inaccurate' and annual reviews not taking place in a timely way and/or plans not being updated. The percentage of new EHC plans judged by the area to require improvement is still almost 40%. The Revisit noted this is not good enough but represents a considerable improvement since the 2019 inspection.

The timeliness of EHC plans being issued and updated remains a huge challenge, with delays being largely due to the waiting time for educational psychology advice and naming a school at end of the cycle. Leaders believe this situation is arising from the 60% increase in demand for the number of needs assessments since 2019. Only approximately half of annual review meetings happen on time. Many parents and carers and school leaders are disheartened and frustrated by the review process. They told inspectors of plans that are years out of date. When annual review meetings are held, only 50% of EHC plans are updated promptly. Parents have shared their concerns about the length of time taken for EHC plans at several stages of the process.

However, the Inspection revisit recognised some improvements in the EHC plan template and process, quality assurance and audit, partner engagement, and that earning points from the analysis are then fed back into the system and result in appropriate training to further improve EHC plans. Plans are steadily, but slowly, improving, but despite improvements, too much inconsistency remains.

### ***KCC Actions***

- 5.1 Since the Inspection Revisit, we have rapidly enhanced our focus on the Education, Health, and Care (EHC) process. This is an excellent example of the whole council commitment to SEND, with four specific EHC transformation projects (three of which specifically relate to the EHC Needs Assessment process) being led by KCC's Continuous Improvement Team in the Analytics function. KCC's Evaluation Team is also supporting with measuring progress and impact. Integrated Children's Services, including children's social care, are fully involved in the EHCP and Annual Review projects.
- 5.2 By April 23, the SEND service will implement a new quality assurance mechanism to assess EHC plans before they are issued. For EHCP quality, the service is currently using an interim tool, but they are being supported by the Management Information Unit (MIU) to replace this with a more robust quality assurance framework and audit tool. MIU are working with them to pull out trends using the existing tool and have completed 9 audit cycles to date.
- 5.3 The 'Customer Experience within EHCNAs' project implements improvements to the customer experience for parents, children, and young people within the EHC Needs Assessment process. We have updated our process explanation and

criteria for decisions, including long-term aspirations from young people and discussions with parents, so we can set the right expectations from the start and throughout. We have re-designed forms and letters to help parents and young people understand decisions better. We are introducing effective working practices to enable caseholders to keep parents/young people up-to-date and proactively communicate with them regularly, including where the case is in the process, what key things have happened that they should know about and when we next plan to contact the parent. We are reducing email and phone traffic and clearing email backlogs so we can respond quickly, which will support our new Enquiries Hub model.

***'Customer Experience within EHCNAs' Success criteria***

- 1 Improved parental satisfaction with the EHCNA process - measured through the EHCNA satisfaction survey.
- 2 Reduced backlog of emails in mailboxes that haven't been answered / dealt with.
- 3 Reduced number of incoming external calls that go unanswered.
- 4 Reduced number of SEN complaints relating to poor communication.

5.4 This project complements our work on the SEND Communications and Engagement Strategy, to review our communications to parents, carers, and families about the criteria we are using in EHC decision making and better explaining decision outcomes and the support available to families. By March 23 we will have implemented new communication working practices to keep parents informed during the EHC process, and by April 23 we will have implemented communication improvements to the EHC needs assessment process.

5.5 Our 'Timescales and Workload of EHCNAs' project is underway to implement improvements which will improve compliance with statutory timescales and/or reduce the workload related to the EHC Needs Assessment process. We had made adjustments to the Local Offer to encourage parents to go through their school, introduced a 'same day' allocation tool for EHCNAs, moved the process timescales forward and improved professional response timescales with improved data monitoring. We are also improving timescales for sending draft EHCPs and digitising forms on our Synergy system, which will not only increase speed but allow us to develop robust analytical reporting.

***'Timescales and Workload of EHCNAs' Success Criteria***

1. Shorter average duration for assessments (leading indicator) & increase in the proportion meeting the 20 week deadline.
2. Reduced 'average caseload per FTE' for Assessment Officers.
3. Shorter average duration for Decisions to Assess (those where we do decide to assess).
4. Shorter average time between Decision to Assess and Decision to Issue
  - Average time taken for EPs to respond to letter 2.
  - Average time taken for other professionals to respond to letter 2.
5. Shorter average time between Decision to Issue and the draft being sent.
6. Shorter average time between the draft being sent and issuing the final EHC plan.
7. Key forms digitised onto the system & useful insights being generated from the data.

5.6 Our 'Process Improvements for Annual Reviews' project is underway to improve completion rates/timescales of annual reviews and enable more children and young people to move towards independence. We have prioritised the backlog of annual reviews, communicating with schools to submit digitally rather than by post to speed up the process, prompting schools to complete annual reviews (including monthly summary to each school on which are overdue or due in next 10 months) and increasing clarity over responsibilities and procedures for starting the workflow on the Synergy system, which will also increase data quality. We are working with schools on guidance, training, and processes that focus on outcomes for children and young people to return to mainstream schools (including 'Planning for step-down' and giving parents confidence in this) and identifying when to cease a plan.

**'Process Improvements for Annual Reviews' success criteria**

1. Increase in the proportion of annual reviews being completed and the proportion completed within timescales.
2. Process is in place & being followed to notify schools of what annual reviews they need to complete.
3. Fewer annual reviews being received via post. (*Measured via feedback from business support staff.*)
4. Agreed process in place for starting the workflow, with clear responsibilities.
5. Increased number of CYP 'stepping down' their placement type following an annual review.
6. Increased number of EHC plans being ceased.

5.7 We are increasing EHCP service capacity within existing budgets through short-term recruitment, with a more sustainable recruitment and retention strategy being developed with HR/OD (Part A6). This includes the development and implementation of a training and development strategy for staff and managers involved in the EHCP process. We are currently in the process of developing KPIs to measure progress and impact on this workforce development.

5.8 We are also developing a KCC SEND Handbook to summarise key information, guidance, and legislation. It will help to clarify the roles and processes involved in the EHCP process, make the process more coherent and provide context for staff. This will create more capacity where referrals are currently coming through that do not need to, as it will save time re-directing people. The final draft of the handbook has been finalised and approved by the working group and will be launched imminently.

**Partnership Actions**

5.9 On 31.01.23 we received positive support from the South East Sector Led Improvement Programme (SESLIP) to progress joint working on EHCP processes in Kent, reflective of the positive progress we are making on EHC projects and our welcome of independent expertise and sector best practice. Kent will be a case study that will be shared regionally, including SEND networks/forms to support other areas to look at their practice.

- 5.10 In February 23, SESLIP will undertake an independent review of current processes to identify what is working well and what could be improved, particularly to improve a better experience for children, young people and families. Parent/carer representatives will be involved in a co-production approach to address the issues raised by families.
- 5.11 In Health, the job descriptions for the Designated Clinical Officer (DCO), Deputy and SEND health lead roles for Kent and Medway include responsibility for quality assuring the health input of EHCPs, training around EHCPs, and staff development to support best practice. The Dame Eileen Sills, Chief Nurse, represents health staff at a strategic county-wide level, profiling need and pressures in the health system.
- 5.12 The DCO offers SEND level 1 and 2 training to all local area staff, ensuring that 'SEND is everyone's business'. The DCO has also committed that by April 23, Health will work with KCC to develop governance framework for SEND transport to support children and young people with complex health needs in line with the statutory guidance for home to school transport. This should have a positive impact on the percentage of children and young people with an EHCP on a reduced timetable, and percentage of authorised and persistent absence for EHCP pupils.
- 5.13 Kent PACT have committed to joint representation at EHCP panels and annual reviews to ensure a holistic approach to children and young people's needs. This will be important to strengthen engagement and influence on decision making with children, young people, and their families.

### ***Early signs of impact***

More detail on our key performance indicators for EHC and other measures we are developing is set out in Part C7. This is a critical area for the Management Information Unit analysis and there is a robust array of data on our Performance Dashboard.

We have always issued significantly more EHCPs each month than we cease, adding further pressure to the SEND system in Kent. We have been undertaking work to cease plans for young people aged over 25. In December 2022 and January 2023, for the first time, we have ceased more plans than we have issued, which is encouraging as we need to be able to focus on our true EHCP cohort and meet their needs.

We have also put in additional resources to tackle our backlog of Annual Reviews that have been waiting for more than 12 months. This is starting to have impact and since October 2022 our monthly volumes of Annual Review completions have been rising, with 598 completed in January 2023.

As well as improving our processes and timescales, we are working hard to improve the quality of plans. There is significant work taking place currently to develop and pilot a new audit tool, as part of a new Quality Assurance Framework within SEND.

The existing audit tool has been in place since May 2021 and started by auditing the quality of EHCPs finalised in 2019 and 2020, before moving into a cycle of audits every quarter.

We therefore have some valuable trend data, showing that our percentage of plans rated good or better was only 2% for 2019, 3% for 2020, and 27% for 2021. This rose to 47% for 2022 as a whole and reached 50% in December 2022. While there is a way to go, progress over the last year has been significant and this provides a sound base that the new Quality Assurance Framework will build on.

An early short-term improvement is the decrease in the number and percentage of requests where we decide to assess. There has been a 33% reduction in the number to be assessed, compared to the same period 12 months before.

Month of Decision to Assess	# of No decisions	% of No decisions	# of Yes decisions	% of Yes decisions
<i>Sep-21 to Dec-21</i>	419	32%	908	68%
<i>Sep-22 to Dec-22</i>	447	42%	607	58%

We have also seen early improvements in a reduction in the number and percentage of assessments where we decide to issue. There has been a 28% reduction in the number to be assessed, compared to the same period 12 months before. We will be undertaking further moderation and analysis to see if the overall number to be issued remains lower than before, given the approximate 3-month lag between decisions to assess and decisions to issue.

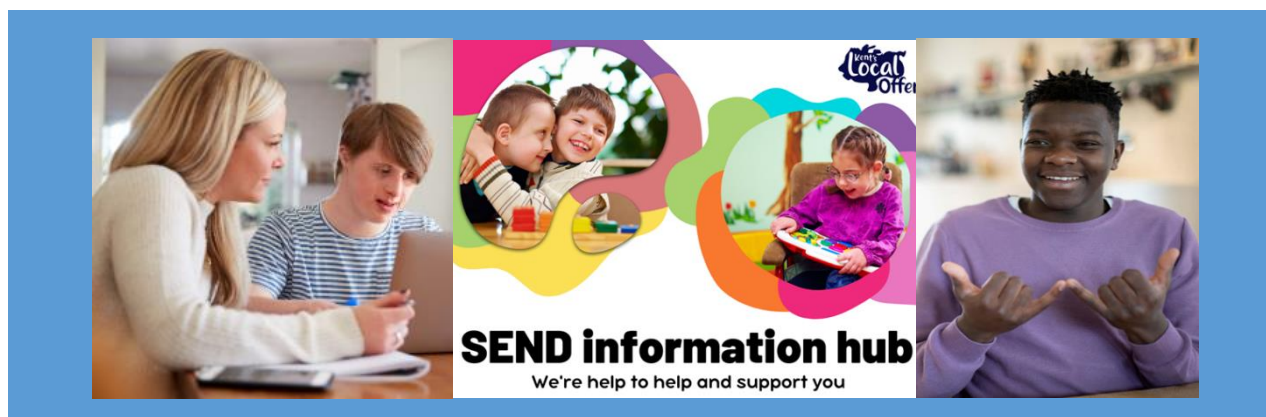
Month of Decision to Issue	# of No decisions	% of No decisions	# of Yes decisions	% of Yes decisions
<i>Sep-21 to Dec-21</i>	122	13%	786	87%
<i>Sep-22 to Dec-22</i>	186	25%	569	75%

In Dec 22 to Jan 23 we are seeing a higher proportion of decisions to issue occurring before the 16 week deadline. Although this usually is higher at this point in the year, early data shows that January 23 (82.5% yes decisions) will be a considerably better position than January 22 (65% yes decisions). We will be exploring this further to monitor the ongoing trend and impact.

These reductions will support our Safety Valve aims. We will carefully monitor the potential impact on complaints, tribunal appeals and parental satisfaction.

## Part C:

### **Response to areas requiring significant improvement in the Ofsted/CQC Inspection Revisit**



*This section directly responds to the nine areas for significant improvement outlined in the Ofsted/CQC Inspection Revisit Report.*

- C1. A widely held concern of parents that the local area is not able, or in some cases not willing, to meet their children's needs.
- C2. A variable quality of provision and commitment to inclusion in schools, and the lack of willingness of some schools to accommodate children and young people with SEND.
- C3. That parents and carers have a limited role in reviewing and designing services for children and young people with SEND.
- C4. An inability of current joint commissioning arrangements to address known gaps and eliminate longstanding weaknesses in the services for children and young people with SEND.
- C5. Poor standards achieved, and progress made, by too many children and young people with SEND.
- C6. The inconsistent quality of the EHC process; a lack of up-to-date assessments and limited contributions from health and care professionals; and poor processes to check and review the quality of EHC plans.
- C7. Weak governance of SEND arrangements across the EHC system at strategic and operational level and an absence of robust action plans to address known weaknesses.
- C8. Unacceptable waiting times for children and young people to be seen by some health services, particularly CAMHS, tier two services, SALT, the wheelchair service, and ASD and ADHD assessment and review.
- C9. A lack of effective systems to review and improve outcomes for those children and young people whose progress to date has been limited by weaknesses in provision.

## **C1. A widely held concern of parents that the local area is not able, or in some cases not willing, to meet their children's needs.**

### ***Recognition of areas for improvement***

Three quarters of parents who completed Ofsted's inspection survey said that they do not feel supported by the local area in identifying and providing the right help and support for their child with SEND. Half of parents who contributed to the inspection consider that their children's views are not represented well, and a similar proportion feel that the plans do not reflect need. The same proportion believe that their child's needs are not met well within their current setting. Local area leaders acknowledge that parental confidence has continued to diminish and families have not received effective and timely help and support.

### ***KCC Actions***

- 1.1 This section should be read alongside the progress set out in Part B1 which focuses on parental confidence. This is also supported by the delivery of KCC's engagement actions with parents and carers set out in Part A7.
- 1.2 We accept the Inspection survey findings, however, we recognise that this only represents a small proportion of SEND parents in Kent, and we are committed to extending our parental engagement reach. Work has begun to better understand and explore particular groups of parents' and carers' experiences. Our aspiration is to always engage with parents and carers where they feel their needs are not met, but we also appreciate that there are many parents who are positive about their experience and not dissatisfied, so we are seeking this balance.
- 1.3 We have a strong focus on outcomes for children and young people and have built our evidence on what is best for their outcomes, based on rigorous academic research. The latest national data from DfE shows encouraging signs that Kent is now making better progress in comparison to the national average.
- 1.4 Of KCC's current 52 SEND Transformation projects, 32 projects have reported they are contributing to this improvement area. We are prioritising these projects in February 23.

#### **Improvement Area 1 Projects**

- Mainstream Schools core training offer
- Year R Pilots
- Prioritisation Annual Review cases 16/19 Non-Maintained Independent Special School transition
- Prioritisation Annual Review cases AR backlog prioritisation- Phase 1
- Set up of the Enquiries Hub
- Specialist Teaching and Learning Service (STLS) / Lift Review
- Thrive
- Mainstream Core Standards training for Teachers and Governors.
- Effective Practice Guidance.
- MI & Systems SEND change workstream
- Autism Education Trust Training and Strategy
- Supported employment offer for mainstream schools
- SEND Handbook
- Pathways to Independence - Sufficiency planning



- Balanced System Commissioning Framework (Speech Language and Communication Needs)
- Mainstream Core Standards for parents & Family Engagement Award
- Early Years Review
- Inclusion Leadership Service
- Social, Emotional and Mental Health Deep Dive
- SEN redesign implementation phase
- Quality Assurance Audit and Moderation Cycle
- Customer experience within EHCNAs (Continuous Improvement Team)
- EHCP - options to increase capacity in writing, reviewing, amending or ceasing
- Timescales & workload of EHCNAs (CI Team)
- Decision-making process for EHCNAs (CI Team)
- Review of Special Schools
- Review of Phase Transfer process
- CATIE Survey linked to Family Engagement Award
- Locality based resources
- Review of the CATIE
- Specialist Resource Provision Review
- Transition charter
- SEN Sufficiency Plan
- Hospital Schools
- 16-19 Review Implementation/ Pathways for all
- Communications and engagement strategy

1.4 KCC's project to develop and deliver training for parents on the Mainstream Core Standards aims to increase understanding of what these standards are, and what 'reasonable' expectations parents should have about the responsibilities of mainstream schools' inclusion of children and young people with SEND. Training content is currently being developed as part of the mobilisation phase of the project, and discussions about expectations for Family Engagement Award standards have begun. This project will improve relationships, and create an open and transparent dialogue between schools, parents, and carers.

### ***Partnership Actions***

- 1.5 In December 22, Health created and recruited to a dedicated senior leadership post for SEND within the Kent and Medway Integrated Care Board. By April 23, the Designated Clinical Officer (DCO) has committed to monitor and ensure increasing the trajectory for the compliance of health professionals against the SEND training assurance framework.
- 1.6 By April 23, the DCO will also communicate the early identification and notification process for pre-school, to better support families to meet their children's needs in early years settings. Health will assess the impact of this through the number of notifications submitted through the Local Offer. This will also complete our work with Health and Public Health on Best Start for Life through the delivery of Family Hubs.
- 1.7 Kent Special Educational Needs Trust (KsENT) have regularly made adaptations to its offer, reflecting provision changes in line with local needs such as Anxiety Based School Avoidance (ABSA). This has been supported by the Kent Educational Psychology Service (KEPS) training offer.

- 1.8 One KsENT school, responding to the closure of the nearby Royal School for the Deaf, took in local Deaf pupils, creating a Deaf/Hearing Impaired Provision which included employing a Teacher of the Deaf and communication support workers. KsENT schools are working with local mainstream schools to implement a fluid local system of expertise.

### ***Key Performance Indicators***

The initial KPIs for baselining and monitoring include:

- Percentage of requests for statutory assessments made by parents/guardians.
- Percentage of parents that agreed: The EHC Plan accurately reflects my child's SEND needs.
- Percentage of parents that agreed: The EHC Plan has led to my child getting the help and support they need.
- Percentage of Stage 1 SEND complaints responded to within 20 working days.
- Percentage of closed Stage 1 SEND complaints that were upheld or part upheld.
- Percentage of parents that agreed: The length of time it took to carry out the assessment was reasonable.
- Number of appeals lodged with the SEND Tribunal.

Other measures we are developing:

- Phone call and email responses/resolutions from the SEND Enquiries Hub – baselining and target setting to be established once Hub goes live in March 23.
- Parental satisfaction survey of SEND Enquiry Hub experience.
- Reduction in complaints relating to poor communication.
- NHS Kent and Medway children and young people, parent, and carer surveys.
- Kent PACT standard response times, supported by evaluation and quarterly performance data.

## **C2. A variable quality of provision and commitment to inclusion in schools, and the lack of willingness of some schools to accommodate children and young people with SEND.**

### ***Recognition of areas for improvement***

There is a widely held view among parents and some schools that certain secondary schools are not inclusive. A child or young person with SEND in Kent is more likely to attend a special school than elsewhere in England, including other areas that are statistically similar. A child or young person with SEND in Kent is more than twice as likely to attend an independent special school than a pupil anywhere else in the country. School leaders and local area staff express concern that specialist places are not allocated rigorously according to need, but rather in response to the level of challenge from parents and politicians.

The wide variation in the inclusion and participation approach in schools leads to uncertainty and dissatisfaction among area leaders, school leaders, and families alike. Typically, those schools 'known' to be inclusive admit more children with SEND, and this results in increased pressure on finite resources. School leaders assert that local authority systems to date have failed to address the unequal admission of children with SEND across the local area and across school types.

### ***KCC Actions***

2.1 The selective system in Kent means the vast majority of pupils with EHCPs in secondary mainstream attend the two-thirds of non-selective schools. Work is underway with the one-third of selective schools to increase their SEND inclusion, but we recognise this will take time.

2.2 This section should be read alongside the system/partnership actions with the education section set out in Part A3 and management actions on inclusion being led by the Director of Education and SEN set out in Part A4. It should also be considered alongside progress set out in Part B2 which focuses on inclusion, including the partnership activities underway with Kent PACT.

2.3 In addition, Part A6 sets out our workforce development around inclusion, with our continued roll out of the Countywide Approach to Inclusive Education (CATIE) – further information on our CATIE dashboard is in Part A11. CATIE includes:

- Core training including mainstream core standards and other training to whole school communities (including governors)
- Effective Kent project and other school improvement support, promoting evidence-based practice.
- Inclusive leadership programme
- Supported employment programme.
- Upskill SENCOs through network meetings, advice, and training.
- Rollout of Autism Education Trust programme

2.4 As part of refreshing our strategic relationship with independent special schools, KCC's Children's Commissioning team are developing targeted engagement with special schools to build the foundations for our long-term commissioning aspirations on inclusion.

2.5 Of KCC's current 52 SEND Transformation projects, 25 projects have reported they are contributing to this improvement area. We are prioritising these projects in February 23.

#### **Improvement Area 2 Projects**

- Mainstream Schools core training offer
- School resource directory
- Year R Pilots
- Specialist Teaching and Learning Service (STLS) / Lift Review
- Mainstream Core Standards training for Teachers and Governors. Effective Practice Guidance.
- CATIE Dashboard
- Autism Education Trust Training and Strategy
- SEND handbook
- Pathways to Independence - Sufficiency planning
- Speech, Language and Communication Needs (SLCN) transformation (Balanced System Scheme)
- Mainstream Core Standards for parents & Family Engagement Award
- Early Years Review
- Inclusion Leadership Service
- Whole school nurture service
- Social, Emotional and Mental Health Deep Dive
- Decision-making process for EHCNAs (Continuous Improvement Team)
- Process Improvements for Annual Reviews (Continuous Improvement Team)
- Review of Special Schools
- Review of Phase Transfer process
- Local Inclusion Forum Teams (LIFT) Executive ToR Review
- CATIE Survey linked to Family Engagement Award
- Locality based resources
- Review of the CATIE
- Specialist Resource Provision Review
- Transition charter
- Hospital Schools
- Communications and engagement strategy

2.6 Our Review of Special Schools project will ensure the most complex children are able to be supported as locally as possible, and that special schools are equipped to meet the needs of children requiring specialist provision (i.e., sufficient therapy services). A review of admission criteria, numbers, and funding of special schools will contribute to ensuring special school places are located appropriately across the county to meet demand. This project will also enable special schools to use their expertise to support the inclusion of SEN in mainstream schools wherever possible.

2.7 The Whole School Nurture Service project has delivered training and support to mainstream schools to improve the social and emotional health and wellbeing of all children and young people in participating mainstream schools, with specific focus on improving outcomes for children with SEND, and particularly those with social, emotional, and mental health needs. The project is progressing well

against key activity targets in sign up of mainstream primary and secondary schools. Completion rates of schools undertaking the training and development is consistently high. Legacy planning and impact evaluation is now underway.

2.8 A review of Specialist Resource Provision is underway to ascertain the place and purpose of this provision, so that prevalent predictable needs types can be met in mainstream educational settings. This project is in its early stages, with a task and finish group set up to agree the new specification for SRPs. Once the specification has been finalised, an implementation plan will be developed this year.

### ***Partnership Actions***

2.9 We have approached the Kent Association of Headteachers on their partnership actions on inclusion and will reflect this in further updates on progress.

2.10 KsENT schools awarded in this area as having specific strength LPPA Leading Parent Partnership Award and Inclusion Quality Mark (IQM) accreditation – dissemination of this learning with other Headteachers.

2.11 The Specialist Teaching and Learning Service (STLS), SMILE and teaching school training is building capacity in mainstream schools. SMILE is a consultation, information, and training centre. Professionals from schools, other agencies, parents, and carers are welcome to visit the SMILE Centre to attend courses and conferences, seek advice and information or to borrow resources.

2.12 KsENT schools continue to offer appropriate pathways to pupils to ensure that an individualised curriculum is offered to young people with SEND. A key measure will be outcomes of children in maintained and special schools judged by Ofsted to be good and outstanding – this includes both academic EHCP attainment and wider outcomes such as attendance and engagement.

### ***Key Performance Indicators***

The initial KPI's for baselining and monitoring include:

- Percentage of parents that agreed: I feel that my child's setting is willing to accommodate children with SEND
- Percentage of parents that agreed: I feel that my child's setting is able to accommodate children with SEND
- Percentage of pupils with issued EHCPs with mainstream school placement
- Percentage of children and young people with an EHCP subject to a suspension - primary phase
- Percentage of children and young people with an EHCP subject to a suspension - secondary phase
- Percentage of children and young people that receive SEN Support subject to a suspension - primary phase
- Percentage of children and young people that receive SEN Support subject to a suspension - secondary phase

We measure both numbers and percentages. Other measures we are developing:

- Percentage of schools involved in inclusion leadership projects/programme – we are currently reviewing our data quality on this measure.
- Suspensions have monthly data, we are also considering attendance with termly data, and data in arrears from the school census.
- Reduction in numbers of early years children placed in special school provision in year R compared with previous years
- Reduction in number of primary school children placed in specialist provision at year 7
- Reduction in number of secondary school children placed in specialist provision, including residential schooling, at year 12

### **C3. That parents and carers have a limited role in reviewing and designing services for children and young people with SEND.**

#### ***Recognition of areas for improvement***

PACT are working hard to reach as many parents and carers as possible, and since April 2022, have trebled their membership. However, membership still represents only a very small proportion of parents. Two thirds of parents who responded to Ofsted's survey said that they had not heard of PACT, and approximately 90% reported no involvement in reviewing or developing services. The reach of PACT is still small and the role of parents and carers overall, in reviewing and designing services for children, is currently limited.

Numerous support groups for children and young people with SEND and their families exist across Kent which are appreciated and valued by parents, but they do not influence strategic decision-making. Almost three quarters of parents who took part in the Ofsted revisit survey said that their views were not heard or acted on, and over half said that they do not feel involved in making decisions about their child.

#### ***KCC Actions***

- 3.1 This section should be read alongside the progress set out in Part B1 which focuses on parental confidence. This improvement area is also supported by participation, communication, and engagement actions to involve parents and carers set out in Part A1 and A4.
- 3.2 It is also supported by our SEND Communication and Engagement Strategy actions in Part A7, including involving parents in the approach and priorities for the strategy (February 23), involving parents in the revised communications for the EHCP process and creation (February 23), and promotion of the SEND Engagement Framework/Plan (March 23).
- 3.3 Of KCC's current 52 SEND Transformation projects, 7 projects have reported they are contributing to this improvement area. We are prioritising these projects in February 23.

#### **Improvement Area 3 Projects**

- Prioritisation Annual Review cases AR backlog prioritisation- Phase 1
- Balanced System Commissioning Framework (SLCN)
- Speech, Language and Communication Needs (SLCN) transformation (Balanced System Scheme)
- Mainstream Core Standards for parents & Family Engagement Award
- Whole school nurture service
- Review of Special Schools
- CATIE Survey linked to Family Engagement Award
- Communications and engagement strategy

- 3.4 By April 23, we will extend SEND panels which focus on decisions to assess and decisions to issue, to include parents in the moderation process and empower them in decision making.
- 3.5 By October 23, we are committed to involving parents in a review of special school admissions criteria and reviewing the impact of the new SEND operating model and SEND Enquiries Hub. We intend to measure the impact of this through surveys detailing percentage satisfaction with changes and audit/moderation evidence of parental involvement.
- 3.6 The Whole School Nurture Service project (C2) has a particular focus on increasing parents' confidence that the educational provider can meet their needs and has the knowledge to do so, through specialist training and professional development.

### ***Partnership Actions***

- 3.7 There is a system leadership role for the Kent SEND Strategic Improvement and Assurance Board in recognising opportunities for parent, carer, and family involvement in shaping services and evidencing impact in this area.
- 3.8 Our Health partners are fully committed to engagement with parents and carers. By April 23, they have committed to commissioning NHS England Expression of Interest funding to support the voice of children and young people with SEND within health services.
- 3.9 By September 2023, they will have full Implementation of a Children and Young People's Shadow Board for the Kent and Medway Integrated Care Board, which feeds into our new Kent SEND Strategic Improvement and Assurance Board. The impact will be measured by the number of young people engaging with Health's SEND improvement work and the difference their contributions make.
- 3.10 Kent PACT have an ambition to roll out the online co-production training which they helped to develop, to all stakeholders involved in SEND. They are committed to holding a conference for parents to enable them to co-design services and to extend their reach by attending a variety of SEND parent support groups to gather insights from children, young people and families. They will also survey families to gain feedback on what currently works and where we need to improve.
- 3.11 Many KsENT schools have extended their own provision through opening satellite classes in nearby mainstream schools and are committed to setting up further satellite provision. KsENT schools are involved in peer review with mainstream schools to build parent and carer confidence across the system, including local arrangements and Leadership Learning Securing Excellence (LLSE) programmes.



## ***Key Performance Indicators***

The initial KPIs for baselining and monitoring include:

- Percentage of Stage 1 SEND complaints responded to within 20 working days.
- Percentage of closed Stage 1 SEND complaints that were upheld, or part upheld.
- Percentage of annual reviews waiting over 12 months.
- Percentage of parents that agreed: The length of time it took to carry out the assessment was reasonable.
- Percentage of audited EHCPs rated good or better.
- Number of appeals lodged with the SEND Tribunal.

We measure numbers and percentage. We will also develop our survey responses and complaints data, in addition to further detail from our audits and quality assurance process.

## **C4. An inability of current joint commissioning arrangement to address known gaps and eliminate longstanding weaknesses in the services for children and young people with SEND.**

### ***Recognition of areas for improvement***

Since the inspection in 2019, the joint commissioning team has become more cohesive in its approach, and this represents a significant cultural change. Commissioning leaders understand their own accountabilities, multi-agency roles, and statutory duties. However, leaders identify that they have been significantly held back by weak bureaucratic processes, silo working, and financial disagreements.

The members of the joint commissioning group are ambitious to secure parental engagement and influence as new services are designed. The projects and pilots are mainly in the development stage, therefore, there has not been any opportunity to measure impact or to scale projects up across the county. Historic weaknesses and gaps are not sufficiently addressed.

### ***Joint Commissioning Actions***

- 4.1 This section should be read alongside the progress in our system/partnership actions on joint commissioning with health set out in Part A3. We have developed a collaborative approach with Health on joint and integrated commissioning opportunities, with connections being further strengthened in our new governance arrangements with the Integrated Care Board (A5).
- 4.2 This commenced with the publication of the Joint Commissioning Approach in 2020, refreshed in 2022. This is aligning activity, developing commissioning and procurement activity which may be jointly funded or contributions to projects. Partners have said the trust between organisations has grown considerably.
- 4.3 The Designated Key Worker Programme is being hosted by KCC, funded by NHS England (only one of two in the country hosted in a local authority). This will ensure that families are more consistently supported by a key worker over the longer term who really understands their needs, and challenges the current emphasis on short term referrals. This is very much a collaborative approach with the ICB and £1.5m has been identified since the Revisit to expand the scope to young people from age 18-25 by June 23.
- 4.4 Our New Joint Funding Oversight Process (JFO) went live in September 2022, with 37 cases currently in progress and 10 cases agreed for joint funding. We have commenced a further review on Mental Health and Learning Disability and Autism funding streams which are currently causing a backlog. There is good support and willingness from the ICB to tackle this issue and ensure children and young people are placed in the right place for their needs. Scoping has been started and retrospective funding will be agreed.
- 4.5 Our Therapies Review is at discovery stage, with stakeholder engagement underway across the ICB, NHS providers, parents, and carers to gather

emerging issues, themes and start to shape commissioning intentions. There is consensus with our health partners is that this is a good fit for joint commissioning/pooled budgets via Section 75.

- 4.6 The ICB have agreed, in principle, to fund £320k per annum for The Nest – a short stay children’s home for Learning Disability and Autism with complex needs to prevent hospital or care home admissions. We are now working together on developing this model of care.
- 4.7 Our Social Emotional and Mental Health (SEMH) Deep Dive has completed the review of SEMH provision across the Kent Local Area from a KCC/Education perspective to inform a range of future commissioning activity including reviews which are underway for Early Years, Special Schools, and Specialist Resource Provision. The Deep Dive findings will inform and guide the work.
- 4.8 We are working as a Kent and Medway Integrated Care Strategy strategic collaborative on Children and Young People Crisis and Complex Care. Although this is not exclusively for SEND, it was established in response to Ann Eden, Regional Director, NHSE and KCC’s request for system collaboration for the most complex children to ensure multi-agency joint commissioning. Recent activity has seen greater collaboration and funding commitments from Learning Disability and Autism partners and resulting in a reduction of the number of young people in both Kent acute hospitals and mental health hospitals. A deep dive has been undertaken into two young people who, in 2022, spent excessive time in hospital. System partners came together for a whole day session looking at what could have been done differently, demonstrating the system recognition of significant improvement in current practice.
- 4.9 We have been working in partnership on developing the 0-4 Health Needs Assessment, with Kent’s Public Health Observatory, which was published in November 22. This critical joint evidence base will inform and influence SEND service delivery planning and joint commissioning activity with KCC, Public Health, and Health. This has been refreshed in response to feedback from parents and partners about the importance of early years and preventative services in SEND. The Primary Age Health Needs Assessment is underway and will shortly be finalised.
- 4.10 An important part of this joint needs assessment and commissioning approach is informing the ongoing development of the Family Hub Model in Kent. SEND services are working closely with Public Health, and Health partners will develop a shared assessment, recording and reporting capability for casework, ensuring the Best Start in Life programme is consistently reporting and sharing information between Family Hubs, maternity, obstetrics/ paediatrics, GPs and health visiting service antenatally and postnatally.
- 4.11 By June 23, we will ensure the joint delivery and local promotion of options for antenatal support including the face-to-face You and Your Baby antenatal new support programme, linked to the Best Start in Life offer. We are currently collaborating with the DfE to finalise our delivery plan in February 23.

4.12 We are determined to collectively respond to the challenges in the education market. By December 23 we will work together with Health to consult and engage on a single specialist teaching and learning service specification for all providers and families to address the fragmentation of provider arrangements.

4.13 Of KCC's current 52 SEND Transformation projects, 7 projects have reported they are contributing to this improvement area.

**Improvement Area 4 Projects**

- Prioritisation Annual Review cases 16/19 Non-Maintained Independent Special School transition
- Prioritisation Annual Review cases AR backlog prioritisation- Phase 1
- Thrive
- Speech, Language and Communication Needs (SLCN) transformation (Balanced System Scheme)
- Balanced System Commissioning Framework (SLCN)
- SEN therapies EHCP Section F integrated Therapy review
- Review of Special Schools
- Joint funded placement review

4.14 The SEN Therapies Qualified Provider List project is being carried out to improve outcomes for children and young people with SEND and EHCPs through the development of consistent contracts and policies with therapy providers. Developing a robust contract, including monitoring and review mechanisms, will effectively manage the quality of the therapy services being delivered and support the improvement of standards and progress made by children and young people with SEND. The project continues to make progress, with the majority of therapy providers being used by KCC now on the qualified provider list.

**Key Performance Indicators**

The Joint Commissioning Approach for SEND was refreshed in August 22. This details an outcomes framework which will develop a suite of KPIs to be included in all commissioned services. This will be undertaken jointly with Health to feed into joint dashboards.

All contracts are continually monitored for effectiveness, including jointly where appropriate through our SEND Transformation and ICB governance arrangements.

Most commissioning activities will be evidenced by whether they were successfully implemented, so we are committed to exploring the key things that could be measured about the positive impact of joint commissioning.

## **C5. Poor standards achieved, and progress made, by too many children and young people with SEND.**

### ***Recognition of areas for improvement***

The drive to improve standards and progress has been slow due to the fluid nature of leadership and staffing in the local authority over time, exacerbated by the impact of the pandemic. Area leaders currently hold only a very partial view of the quality of provision and consequent rates of progress and standards achieved by children and young people with SEND due to fragmented relationships with schools, differing processes in different localities, and an absence of data.

Leaders have devised a variety of new county-wide strategies to improve academic standards achieved by children and young people with SEND. This particularly includes the implementation of the 'mainstream core standards', which has been complemented by county-wide training. School leaders and SENCOs report that these standards are understood well and implemented widely. Other systems and strategies are less well developed, known, or implemented. Excessive demand and unused capacity for specially resourced provision can impact negatively on children and young people's opportunities to make good progress and achieve well.

### ***KCC Actions***

5.1 The validated data for Summer 2021-22 (which was not available during the Revisit) shows that generally the gap in the performance of pupils with an EHCP in relation to those with no EHCP, is in line with national averages. We are ambitious to narrow that gap and a key action is to have a more targeted approach to improving the attendance of pupils with an EHCP, as well as continuing work on improving teaching and learning in the curriculum.

5.2 Of KCC's current 52 SEND Transformation projects, 24 projects have reported they are contributing to this improvement area, which are referenced throughout this evidence pack.

#### **Improvement Area 5 Projects**

- Mainstream Schools core training offer
- School resource directory
- Prioritisation Annual Review cases 16/19 Non-Maintained Independent Special School (INMISS) transition
- NMISS Dynamic Purchasing System
- Internal Tuition
- Specialist Teaching and Learning Service (STLS) / Lift Review
- Mainstream Core Standards training for Teachers and Governors. Effective Practice Guidance.
- SEN therapies qualified provider list
- External Tuition
- Autism Education Trust Training and Strategy
- Supported employment offer for mainstream schools
- Mainstream Core Standards for parents & Family Engagement Award
- Early Years Review
- Inclusion Leadership Service
- Whole school nurture service
- Social, Emotional and Mental Health Deep Dive

- EHCP -options to increase capacity in writing, reviewing, amending or ceasing
- Review of Special Schools
- Review of Phase Transfer process
- Local Inclusion Forum Teams (LIFT)
- Executive ToR Review
- Locality based resources
- Review of the CATIE
- Specialist Resource Provision Review
- Transition charter
- Hospital schools
- Joint funded placement review

### ***Partnership Actions***

5.3 Kent PACT have offered an option to consider support from PACT in attendance and contributions to annual reviews, to provide constructive challenge on outcomes for children and young people.

5.4 KsENT have researched and introduced Pupil Asset (MIS software). Most schools have developed or explored appropriate systems for tracking progress in their young people.

### ***Key Performance Indicators***

The initial KPIs for baselining and monitoring include:

- Percentage of annual reviews waiting over 12 months
- Percentage of parents that agreed: My child is making good progress at their setting
- Percentage of pupils with issued EHCPs awaiting a school placement

KCC's Management Information Unit has access to attainment, progress and gap annual data and is considering how to measure/demonstrate improvement as part of a more regular improvement cycle in addition to the KPIs.

**C6. The inconsistent quality of the EHC process; a lack of up-to-date assessments and limited contributions from health and care professionals; and poor processes to check and review the quality of EHC plans.**

***Recognition of areas for improvement***

The Inspection revisit noted that actions to improve EHC plans are beginning to result in more precise and coherent targets on newly produced plans. Plans are steadily, but slowly, improving. However, the percentage of new EHC plans judged by the area to require improvement is still almost 40%. This is not good enough but represents a considerable improvement since the last inspection. Co-production, including with parents, carers and children and young people, is still not always achieved through the EHC assessment, planning, and annual review process.

Despite improvements in the EHC plan template and process, too much inconsistency remains. The timeliness of EHC plans being issued and updated remains a huge challenge. The revisit noted issues in the quality assurance process, including quality of draft plans and lack of emphasis on quality in annual reviews.

Only approximately half of annual review meetings happen on time. Many parents and carers and school leaders are disheartened and frustrated by the review process. They told inspectors of plans that are years out of date. When annual review meetings are held, only 50% of EHC plans are updated promptly.

***KCC Actions***

6.1 This section should be read alongside the progress in our EHCP and Needs Assessment projects set out in Part B5, quality assurance process in Part A4, and supporting communications and engagement actions on the EHC process set out in Part A7. This is an improvement priority, where we very much work in close partnership with our partners in the education, children’s social care and health sectors.

6.2 Of KCC’s current 52 SEND Transformation projects, 11 projects have reported they are contributing to this improvement area.

**Improvement Area 6 Projects**

- Prioritisation Annual Review cases AR backlog prioritisation- Phase 1
- MI & Systems SEND change workstream
- Pathways to Independence - Sufficiency planning
- SEN redesign implementation phase
- SEN therapies EHCP Section F integrated Therapy review
- Quality Assurance Audit and Moderation Cycle
- Customer experience within EHCNAs
- EHCP -options to increase capacity in writing, reviewing, amending or ceasing
- Timescales & workload of EHCNAs
- Decision-making process for EHCNAs
- Process Improvements for Annual Reviews

- Communications and engagement strategy

6.3 KCC's project to prioritise and reduce the backlog of annual reviews aims to increase the number of children and young people attending local mainstream provision or SPI, increase the number of EHCPs ceased, and decrease the use of non-maintained independent special schools (INMISS).

6.4 Reducing the backlog of outstanding annual reviews will also contribute to improving the timeliness of EHCP production and review. The project is making good progress, and since 10.01.23 a further 37 plans have been ceased, taking the total of ceased plans to 43.

### ***Partnership Actions***

6.5 By March 23, Health will review the process and embed health's sign-off criteria for EHCPs to ensure plans are quality assured prior to issuing and deliver a multi-agency training package to key health professionals to share learning from audits/tribunal outcomes and enhance knowledge of statutory duties.

6.6 By April 23, the DCO will review the health template to improve the consistency of high-quality health advice. By June 23, the DCO will develop an annual review quality assurance framework for health and work with SEND services to ensure all EHCPs have a universal health offer included.

6.6 Kent PACT will ensure all stakeholder fully understand the purpose and importance of the Annual Review process. They will provide oversight of timely, compliant, and informative annual reviews involving children and young people. They will co-produce a follow up to the annual review process asking children, young people, and parents about their experiences of the process.

### ***Key Performance Indicators***

The initial KPIs for baselining and monitoring include:

- Percentage of parents that agreed: The EHC Plan accurately reflects my child's SEND needs
- Percentage of parents that agreed: The EHC Plan has led to my child getting the help and support they need
- Percentage of annual reviews waiting over 12 months
- Percentage of parents that agreed: We received useful and consistent help and advice from everyone we dealt with during the EHC needs assessment for our child.
- Percentage of parents that agreed: Different services (such as education, health, and care) worked together in the development of the EHC Plan
- Percentage of parents that agreed: The length of time it took to carry out the assessment was reasonable
- Percentage of EHCPs issued within 20 weeks
- Percentage of audited EHCPs rated good or better

We measure both number and percentage.



## **C7. Weak governance of SEND arrangements across the EHC system at strategic and operational level and an absence of robust action plans to address known weaknesses.**

### ***Recognition of areas for improvement***

The inspection revisit identified multiple causes of weak governance of SEND in Kent, including repeated changes in staffing, the array of projects and plans at different stages, a major lack of communication and the impact of the COVID pandemic. The SEND Improvement Board was ineffective in driving improvement over time as it did not provide challenge or understanding of the complexity of what needs to be achieved.

While pathways exist for information to reach and to be considered at the Children, Young People and Education Divisional Management Team and Cabinet committees, as well as at the Integrated Care Board (ICB), the information being shared was not routinely of good quality which renders discussions, evaluations, and further planning futile.

### ***KCC Actions***

7.1 This section should be read alongside the progress in transforming our new governance arrangements set out in Part A5 and programme and project management actions set out in Part A9.

7.2 Of KCC's current 52 SEND Transformation projects, 8 projects have reported they are contributing to this improvement area.

#### **Improvement Area 7 Projects**

- Safety Valve Resourcing
- Prioritisation Annual Review cases AR backlog prioritisation- Phase 1
- Balanced System Commissioning Framework (Speech Language and Communications Needs)
- SEN redesign implementation phase
- EHCP – options to increase capacity in writing, reviewing, amending or ceasing
- Decision-making process for EHCNAs (Continuous Improvement Team)
- Review of the CATIE
- Specialist Resource Provision Review
- Communications and engagement strategy

### ***Partnership Actions***

7.3 The Deputy Director for SEN in the ICB has been appointed as a senior role to coordinate activity and lead on strategic and systemic change. KCC was invited to be part of interview panel and provided shadowing opportunities as part of the induction process. This additional system leadership capacity will help to drive through change at pace across Kent and Medway.

7.4 The relaunch of the ICB's Kent and Medway Children and Young People Programme Board will establish a clear connection between ICB and KCC

governance. There will be a number of sub-groups to support this, including a joint commissioning workstream that will require a comprehensive delivery plan with clear accountabilities and deliverables.

- 7.5 In February 23, Dame Eileen Sills will support the development of the Kent SEND Strategic Improvement and Assurance Board. Also in February, Health will re-establish a SEND Health Network Meeting with governance arrangements to provide oversight of the current fragmented health commissioning arrangements for children and young people with SEND.
- 7.6 In April 23, Health will share the outcome of the SEND review regarding the roles and responsibilities for ICB leaders.
- 7.7 There is a healthy and mature relationship between KCC's Commissioners and the ICB, with built in space weekly for constructive challenge, and a genuine willingness and commitment to do things differently.
- 7.8 Kent PACT will seek to ensure the stakeholder voice is heard at every level of governance, with their involvement at an operational, strategic, and KCC committee level. They will consider the remit of the SEND Governor in schools and their reporting links to parents.

### ***Key Performance Indicators***

Rather than KPIs that directly correspond to this area of weakness, we will need to assess the quality and effectiveness of the new governance arrangements by other means, for example robust quality of minutes, decision logs, tracking of actions complete within timescales, active engagement from attendees, and the impact for children, young people and families.

**C8. Unacceptable waiting times for children and young people to be seen by some health services, particularly CAMHS, tier two services, SALT, the wheelchair service and ASD and ADHD assessment and review.**

***Recognition of areas for improvement***

The revisit highlighted that children, young people, and their families continue to wait too long for assessments, with particularly unacceptable waiting times for children on the neurodevelopmental pathway which have not improved since the 2019 inspection. Extensive waits, for up to four years, impact on education provision and access to other services, and cause immense stress to children and families. However, families are not fully reliant on diagnosis to access help and support, as Kent CAMHS services have worked with parents, allied health professionals, voluntary sector providers, and the Local Authority to provide a ‘needs-led’ offer for families awaiting diagnosis.

Other services including speech and language therapy, attention deficit hyperactivity disorder service, and educational psychology remain fragmented across Kent. Parents repeatedly spoke or wrote about the lack of available services and said they do not feel supported promptly or effectively. Some special school leaders also spoke with frustration regarding the length of time that children and young people have to wait for health equipment. Extremely long waiting times are leading some schools and families to buy private assessments or counselling sessions, which is seen as deepening the inequality of opportunity for children and young people in Kent as many families cannot afford to do this.

***KCC Actions***

8.1 This section should be read alongside the progress on waiting times in neurodevelopment pathways set out in Part B4, including our therapy projects, and the outcome-focused speech and language projects set out in Part C9. Of KCC’s current 52 SEND Transformation projects, 5 projects have reported they are contributing to this improvement area.

**Improvement Area 8 Projects**

- Thrive
- Speech, Language and Communication Needs (SLCN) transformation (Balanced System Scheme)
- Balanced System Commissioning Framework (SLCN)
- Social, Emotional and Mental Health Deep Dive
- Hospital schools

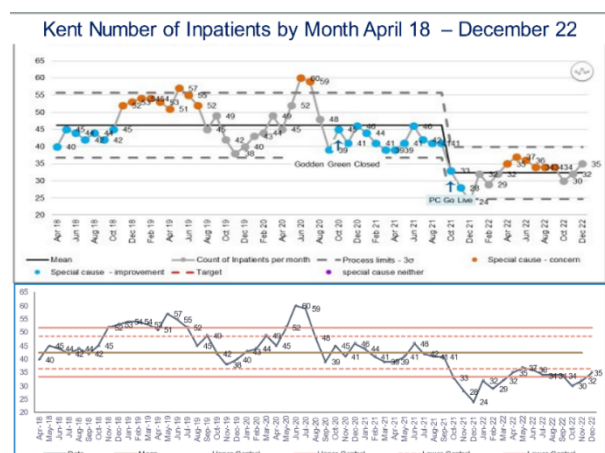
8.2 The THRIVE project is about implementing the i-THRIVE Framework (Part B4), understanding and identifying children and young people’s social, emotional, and mental health to put in place the right support to enable every child to Thrive. We recognise that children, young people, and families need to be empowered and ensure the whole social, educational, and health system works together to ensure their needs are met so they Thrive, even through times of adversity.

- 8.3 Young people have been involved in developing accessible language and design and one trusted adult is key to the success of support for young people. The project is currently focusing on key issues such as self-harm guidance to be completed by end of March 23 and eating disorder school webinars, which have been attended by 72 participants. Further waves of recruitment are underway for Mental Health support teams, with the full roll out to complete in March 24.
- 8.4 The Social Emotional and Mental Health special schools have been commissioned to develop guidance for mainstream schools with a draft for piloting expected to be available for the new academic year in September 23, together with mapping of all the main resources available to support schools.
- 8.5 Our Hospital Schools project led by Integrated Children’s Services started in January 23, with scoping underway with Integrated Children’s Services (including children’s social care), Public Health, and Education. By the beginning of March 23 this will be informed by visits to hospital schools to learn from stakeholder engagement and research. The project will scope solutions for students with additional needs who are receiving tuition from external providers who may not fit within education programme criteria. Evaluation is planned for April 23, with the recommendations implemented by July 23.
- 8.6 With health funding, Youth Justice have commissioned a speech and language service which helps screen and signpost children working with Youth Justice to help seek additional support and assessments where necessary.

### Partnership Actions

8.7 A vital example of the need for collaborative system working is mental health, crisis and complex care services for our most vulnerable children and young people. The impact of joint working between system partners is seeing a reduction in the numbers of Kent and Medway inpatients requiring T4 beds, with the graph below demonstrating a significant drop in numbers from August 21 for acute health services. A Kent and Medway T4 Collaborative chaired by Stuart Collins, KCC’s Director of Integrated Children’s Services, and a Task and Finish Group is underway to consider joint commissioning options.

8.8 We are also making early progress through joint working with Kent Police and the Ministry of Justice investment in local authority early interventions in youth justice, particularly working with young people with forensic CAMHS needs committing a significant number of offences to ensure they have extensive support in public health services. Other geographical areas are keen to learn from Kent’s experience in improvements and resulting financial savings.



- 8.9 However, although the partnership working is positive, there remain complex and difficult system-level pressures to provide sufficient support to achieve the best outcomes for very vulnerable children and young people. There is a need to establish better data on the young people who need such support and the wider impact on health-led community resources, to replace or provide sufficient alternative support to those same young people, including cost implications for the local authority. The limited health provision and support in the community is not currently addressing the need and can lead to greater pressures on Early Help and Children's Social Work services, even where hospital admission is not required, if health need is not met by health services.
- 8.10 We need to be assured that young people's needs are being sufficiently met when they are passed onto other services in the community. A particularly important issue to monitor is the correlation between the reduction in the number of adolescents leaving acute paediatric wards and going into unregistered social care provision, at significant cost to the local authority.
- 8.11 Actions to address this issue within Health include the appointment of Yvonne Norley as Associate Director of Crisis and Complex Care, and the rollout of the designated key worker programme for the Learning Disability and Autism cohort (B4). The funding and appointment of B6 mental health nurses on each acute paediatric ward has also been implemented. To ensure a focus on rapid progress, weekly multiagency system calls to discuss individual cases and weekly senior strategic collaborative (system partner) meeting to oversee issues with the T1-4 pathway have been established.
- 8.12 By July 23, Health will ensure a specific communications strategy and plan for emotional wellbeing and mental health is developed and adopted by the ICB's Children and Young People's Programme Board.
- 8.13 By September 23, Health will establish a "Support First" neurodevelopment offer that is accessible, based on a needs-led model via Primary Care to signpost and agree next steps with families. They will also develop a consistent and managed approach to prioritisation (that is age appropriate), work with providers to apply consistent referral and triage process that takes a support first approach and review the impact of face-to-face appointments vs online assessments.
- 8.14 By December 23, Health will increase the number of 14+ with a Learning Difficulty having an annual health check and working with KCC's commissioning team, increase uptake of online school health assessments to support early identification and intervention for young people and families.
- 8.15 Kent PACT will look for creative ways to carry out assessments such as holding clinics in schools or early years settings where there are a number of children and young people awaiting diagnosis so clinicians' time can be used more effectively.

8.16 Deputies from KsENT schools are currently working with Health partners on behaviour and medical training for drivers and passenger assistants. Schools from across KsENT have also worked with Health to commission qualified nurses within Profound, Severe and Complex Needs (PSCN) schools. Many KsENT schools commission their own Speech and Language, Physical Therapists, and Occupational Therapists due to a lack of available therapists.

### ***Key Performance Indicators***

The initial KPIs for baselining and monitoring include:

- Number of children on the waiting list at month end for autism diagnostic assessments
- Number of children on the waiting list at month end for ADHD diagnostic assessments
- Wheelchair assessments Kent & Medway (Children 0-18)
- Percentage of Young People assessed within 12 weeks (Referral to 1st Assessment) - Primary - CYP Counselling Service
- Percentage of Young People assessed within 12 weeks (Referral to 1st Assessment) - Adolescent - CYP Counselling Service
- Number CETR (with and without EHCP)
- Measure for Speech and Language Therapy numbers

We measure both number and percentage, with Health leading on their responsible indicators.

## **C9. A lack of effective systems to review and improve outcomes for those children and young people whose progress to date has been limited by weaknesses in provision**

### ***Recognition of areas for improvement***

Little evidence was established during the inspection to indicate that leaders had planned or implemented systems for identifying children and young people adversely affected by previous weaknesses in provision. There is a lack of oversight and knowledge of wider outcomes because area SEND leaders have not analysed or evaluated progress against the 'Children and Young People's Outcomes framework'.

Operational reports on Kent's maintained schools with specialist provision provide leaders with some detail about the academic progress of the children and young people who currently access the provision. In particular, the reports highlight the need for 'consistency of approach, (and) a robust quality assurance and moderation process'. Positively, the introduction of the county-wide special school nursing service has ensured improved health and educational outcomes for those children with the most complex health needs.

### ***KCC Actions***

9.1 All our improvement priorities are focused on improved outcomes for children and young people, which is evidenced throughout this document. Of KCC's current 52 SEND Transformation projects, 20 projects have reported they are contributing to this improvement area.

#### **Improvement Area 9 Projects**

- Prioritisation Annual Review cases AR backlog prioritisation- Phase 1
- Non-Maintained Independent Special School Dynamic Purchasing System
- Internal Tuition
- SEN therapies qualified provider list
- External Tuition
- Pathways to Independence - Sufficiency planning
- Speech, Language and Communication Needs (SLCN) transformation (Balanced System Scheme)
- Inclusion Leadership Service
- Social, Emotional and Mental Health Deep Dive
- SEN therapies EHCP Section F integrated Therapy review
- Quality Assurance Audit and Moderation Cycle
- EHCP -options to increase capacity in writing, reviewing, amending or ceasing
- Process Improvements for Annual Reviews (Continuous Improvement Team)
- Review of Special Schools
- Review of Phase Transfer process
- Local Inclusion Forum Teams (LIFT) Executive ToR Review
- Locality based resources
- Review of the CATIE
- Specialist Resource Provision Review
- Transition charter
- Joint funded placement review
- Hospital schools

9.2 A short-term priority for the SEND service in February 23 is to support the wider strategic review by ensuring that as part of the 2023/4 phase transfer processes

that the use of provision for Years 6-7 supports greater inclusivity in mainstream settings.

- 9.3 By July 24, the SEND service will develop and implement consistent systems across Kent and provision type to measure progress and outcomes achieved by children and young people with EHCPs.
- 9.4 The Prioritisation of Annual Review Cases project, to take a focused task force approach to prioritise and reduce the backlog of annual reviews is underway. It focuses on the best outcomes for young people in local mainstream provision and support more children and young people within their local area. We are working with the Kent Association of Headteachers to request support from SENCOs to support with the annual review backlog. Additional staff are being recruited by March 23, but the ambition is for case officers to take over once the backlog has been cleared. The casework teams are supporting learning from the project to inform the SEND redesign implementation.
- 9.5 The detail on our project for Process Improvement in the Annual Review Process is set out in Part B5.
- 9.6 Our Speech, Language and Communication Needs (SLCN) Transformation (Balanced System Scheme) project is in progress to produce a seamless universal targeted and specialist offer for speech, language and communication. This is informed by needs and tailored to deliver equity of outcome geographically. This approach aims for SLCN to be seen on a continuum with all language and communication, as a needs-led service with equitable outcomes at the core. Work on promotional material to advertise Talking Walk-ins – providing easy access to SLCN support in early years - is underway, ready for promotion in March 23 before these sessions begin in April 24.
- 9.7 Our Early Language and Home learning project is also embedding the Balanced System approach to speech, language, and communication needs. This is a 5-year programme to initiate the implementation of a single Balanced System outcomes-based offer for children and young people in Kent 0-15 years. This will include a universal offer for children and families where they can have easy access to speech, language and communication advice via community venues such as Family Hubs.

### ***Partnership Actions***

- 9.8 This is a key improvement area for the Kent SEND Strategic Improvement and Assurance Board to oversee.
- 9.9 Kent PACT will ask all partners to undertake a deep dive into their data sets for children and young people with SEND and aim to identify areas where interventions are not resulting in improved outcomes, so that this learning can inform the improvement.



## **Key Performance Indicators**

The initial KPIs for baselining and monitoring include:

- Percentage of annual reviews waiting over 12 months
- Percentage of vacancies in the SEND service
- Percentage of parents that agreed: We received useful and consistent help and advice from everyone we dealt with during the EHC needs assessment for our child.
- Percentage of parents that agreed: Different services (such as education, health, and care) worked together in the development of the EHC Plan
- Number of appeals lodged with the SEND Tribunal

We measure both number and percentage.

A priority area of focus is annual reviews which are key to supporting children and young people with SEND and being outcomes-focused.

## **Acknowledgements**

Our thanks and appreciation go to all the services, partners and stakeholders who have taken the time to contribute to this representation, including those represented on the Kent SEND Strategic Improvement and Assurance Board.

In addition to all the colleagues from across a wide range of services within Kent County Council (including CYPE DMT, SEND Transformation Team, Strategic Reset Programme Team, Management Information Unit, Analytics, HR/OD, Finance, Strategic Commissioning, Adult Social Care, MRX, Corporate Assurance and Risk), we would particularly like to extend our thanks to:

- Deborah Glassbrook, LGA Improvement Advisor and Independent Chair
- Jane O'Rourke, NHS Interim Director of Children's Services
- Sue Mullin, Mental Health Lead for the Integrated Care Board
- Kent PACT
- Kent Special Educational Needs Trust

## **Accountable Owners – Glossary**

SH – Sarah Hammond, KCC  
KA – Katherine Atkinson, KCC  
SM – Sue Mullin, NHS  
JC – Jo Carpenter, KCC  
SA – Susan Ashmore, KCC  
SC – Stuart Collins, KCC  
DC – David Cockburn, KCC  
AB – Amanda Beer, KCC  
LH – Lynn Horsfield, KCC

EM – Elise McQueen, KCC  
ST – Steve Tanner, KCC  
BW – Ben Watts, KCC  
JH – Jan Hawkes, KCC  
SS – Sam Sheppard, KCC  
ST-M – Suzanne Tram-Medhat, KCC  
TG – Tracey Gleeson, KCC  
STSB – SEND Transformation Strategic Board  
SSIAB – Kent SEND Strategic Improvement and Assurance Board  
SM – Sharon McLaughlin, KCC  
SD – Sophie Dann, KCC  
KS – Karen Stone, KCC  
JB – John Betts, KCC  
MS – Mark Scrivener

## Improvement Notice

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To: Kent County Council (the council)

County Hall

Maidstone

Kent

ME14 1XQ

**This Improvement Notice is issued to Kent County Council (“the Council”) on 31 March 2023 following an assessment that the local area has failed to make sufficient progress against nine areas of weakness in its special educational needs and disability (“SEND”) service provision, as set out in the Ofsted and Care Quality Commission (“CQC”) SEND Revisit report, published on 9 November 2022.**

1. This Notice is given to address all nine areas for improvement identified in the report of the Ofsted and CQC revisit to local area services for children and young people with SEND and their families, dated 9 November 2022. (Annex 1).
2. To comply with this Notice, the following actions are required of the Council, working with the Integrated Care Board (“ICB”) and its other partner agencies (“partners”), as identified by the Children Act 2004 (Section 11).

### **Improvement plan**

3. The Council will produce for approval by the Department and NHS England (“NHSE”) an Improvement Plan (Accelerated Progress Plan) to deliver appropriate and sustainable improvement by 12 May 2023. It must cover the areas identified in the Ofsted and CQC revisit report of 9 November 2022, as well as recommendations made by the Department.
4. To ensure there is clear evidence of progression:
  - a. the Improvement Plan should contain clear, measurable key performance indicators for each of the areas identified in the Ofsted and CQC revisit report;
  - b. the content of the Improvement Plan, data dashboard and risk register must be regularly updated and provided to the Department when requested;
  - c. the Council must ensure there is an Improvement Board which meets monthly and has an independent Chair and membership including leaders across education, health and care services, the Chief Executive, the Social Care Accountable Officer the ICB Accountable Officer.
  - d. the Improvement Board will oversee the implementation of the Improvement Plan and will monitor progress and provide support and

challenge to all partners in the local area, holding those partners accountable for their contributions.

e. reports to the Improvement Board should be supported by evidence on the impact of improvements on the quality of practice and the lived experience of children and families;

f. The Improvement Board must:

i. have clearly assigned accountabilities for all actions agreed, along with clear and measurable targets at 3,6,12 and 18 months covering the areas identified in the Ofsted and CQC report as well as longer-term targets to support long-term aims for improvement of SEND services. In addition, the board should maintain an action log which is updated for each meeting;

ii. oversee implementation of the Improvement Plan and report in writing to the Department and NHSE every two months on progress against the objectives in the plan. It can commission updates from partners in order to do this;

iii. highlight those objectives which are slow to progress and highlight where contributions need to be strengthened;

iv. evidence through its working how the views of frontline staff and of schools, parents, children and young people have been taken into consideration in the development of practice and standards.

5. The Council will provide a clear plan (within the Improvement Plan) to ensure that it has in place, within six months from the date that the Improvement Notice is published, a permanent, suitably trained, SEND case work team of sufficient capacity to enable the effective delivery of the Education, Health and Care (“EHC”) needs assessment and review system including effective partnership working systems with advice writers to help improve both the timeliness and quality of the EHC plans.

6. Invitations to Improvement Board meetings must be sent on each occasion to representatives from both the Department and NHSE who will attend periodically and will notify Council representatives in advance if this is the case.

#### **Improvement against the above measures will be assessed as follows:**

7. DfE and NHSE SEND Advisers will provide to the Department updates of progress or concern against the areas set out in this notice; improvement against the Ofsted and CQC requirements; and any other such information relevant to the improvement journey.

#### **Reviews by the Department**

8. Officials from the Department will undertake reviews of progress against the Improvement Plan at least every six months, and more regularly where appropriate.

9. These reviews may cover but are not exclusive to: culture; performance; leadership; management and governance; quality of workforce training and support; multi-agency arrangements – including the role and contribution of health providers;

joint commissioning; and the timeliness and quality of EHC plans and engagement with children, young people, families and carers and educational and other settings.

10. Prior to any reviews, the Council should provide its own assessment of improvement. This may reflect, but is not limited to:

- a. progress against the Improvement Plan objectives;
- b. staff surveys;
- c. the quality of feedback from parents and carers;
- d. clear information about local accountability and governance structure;
- e. the documentary evidence used to plan, track and evaluate the impact of actions, which may include:
  - i. a progress update against each area of significant weakness;
  - ii. a dashboard of performance measures showing whether targets and milestones are being met in a timely manner; any slippage; evidence of impact and whether the local area is on track to meet the next set of milestones;
  - iii. an updated risk register and mitigation plans; and
  - iv. evidence of systems being in place for collecting and analysing the impact of actions. Any local evidence held that key partners, including children and young people, families and schools are playing an active role in improving services.

11. From time to time, the Department may require that a diagnostic review or assessment of performance in a specific service area is undertaken by a party agreed with the Department.

12. For any review or assessment, the Council must provide the person(s) conducting it with:

- a. access to, and time with, staff and leadership;
- b. accurate and up to date data on performance and quality;
- c. facilities to carry out the reviews; and
- d. access to minutes of meetings or any other relevant information.

**Timescales:**

13. Taking account of the measures set out in this Improvement Notice, the Council should aim for the majority of the actions included in the Improvement Plan to be delivered by the end of April 2024 (i.e. within 18 months of the Ofsted and CQC revisit) or sooner, where appropriate. In addition to the regular reviews of progress, the Department will undertake a review of progress against the Improvement Plan in April 2024 to determine whether progress has been sufficient.

**Failure to comply with this Improvement Notice by the assessment dates or poor progress:**

14. Should the Council be unwilling or unable to comply with this Improvement Notice or should the Secretary of State not be satisfied with the Council's progress at any stage, she may choose to invoke her statutory powers of intervention (s497A Education Act 1996) to direct the Council to take any further actions deemed necessary to secure the improvements required in SEND services.

**Signed:**

**Date:** 31<sup>st</sup> March 2023.

A handwritten signature in black ink, appearing to be 'H. Brayley-Morris', written in a cursive style.

**Helen Brayley-Morris**

**Senior Civil Servant in Department for Education**

## **Annex 1**

### **Areas requiring significant improvement:**

1. A widely held concern of parents that the local area is not able, or in some cases not willing, to meet their children's needs.
2. A variable quality of provision and commitment to inclusion in schools, and the lack of willingness of some schools to accommodate children and young people with SEND.
3. That parents and carers have a limited role in reviewing and designing services for children and young people with SEND.
4. An inability of current joint commissioning arrangement to address known gaps and eliminate longstanding weaknesses in the services for children and young people with SEND.
5. Poor standards achieved, and progress made, by too many children and young people with SEND.
6. The inconsistent quality of the EHC process; a lack of up-to-date assessments and limited contributions from health and care professionals; and poor processes to check and review the quality of EHC plans.
7. Weak governance of SEND arrangements across the EHC system at strategic and operational level and an absence of robust action plans to address known weaknesses.
8. Unacceptable waiting times for children and young people to be seen by some health services, particularly CAMHS, tier two services, SALT, the wheelchair service and ASD and ADHD assessment and review.
9. A lack of effective systems to review and improve outcomes for those children and young people whose progress to date has been limited by weaknesses in provision.

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