

KENT COUNTY COUNCIL

SEND SUB-COMMITTEE

MINUTES of a meeting of the SEND Sub-Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 7 December 2023.

PRESENT: Mr P Cole (Chairman), Mrs B Bruneau (Vice-Chair), Mrs T Dean, Mr M Dendor, Mrs S Hudson, Mr H Rayner, Mr M Reidy, Mr A Sandhu, Dr L Sullivan and Mr M Whiting.

VIRTUAL ATTENDEES: No virtual attendees.

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 of Education), Ms A Farmer (Assistant Director/Principal Educational Psychologist), Mr C Chapman (SEND Assistant Director/Head of Fair Access), Ms A Gleave (SEND Interim Assistant Director for Operations), Ms E McQueen (Interim Assistant Director for SEND Quality Assurance) and Mr G Romagnuolo (Research Officer - Overview and Scrutiny).

UNRESTRICTED ITEMS

29. Apologies and Substitutes

(Item 2)

Apologies for absence were received from Ms J Hawkins and Ms B Hannon.

30. Declarations of Interest by Members in Items on the Agenda

(Item 3)

Mr M Dendor declared that he was a Governor of Kemsley Primary Academy.

31. Minutes of the Meeting Held on 31 October 2023

(Item 4)

RESOLVED that the minutes be approved as a correct record.

32. SEN Inclusion in Schools
(Item 5)

- 1) Mr Love introduced the report. He explained that it discussed SEN inclusion in schools, and outlined the work being undertaken under the Accelerated Progress Plan's Areas of Weakness 2 and 5.
 - Area of Weakness 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.
 - Area of Weakness 5: Poor standards achieved, and progress made, by too many children and young people with SEND.
- 2) In terms of provision and commitment to inclusion in schools, he explained that KCC could not change schools' policies and practices, although it had the power of *influence* and it had implemented a number of activities to maximise inclusion in schools. For example, KCC provided local schools with training on inclusion.
 - a) Christine McInnes added that, when the DfE's Revisit took place in September 2022, the results for the academic year 2021-22 had not been published; the inspection team would have based their judgements about pupil outcomes on school data prior to or during the pandemic. It is likely that they could have inferred outcomes from the attendance data which was poor and below the national average. When the 2021-22 data was published, it showed there were attainment gaps for pupils with SEN, although these were broadly in line with the national average. The first analysis of the unvalidated 2022-23 academic results indicated that this was also the case for that year. While there were aspirations and ambitions about closing the attainment gap, it was important to note that SEND pupil achievement was broadly in line with that of other local authorities.
- 3) A Member asked a question about KCC's collection of key data and indicators on schools' inclusion. Christine McInnes explained that there was no legal definition of an inclusive school, or any single measure of inclusion, but there were a number of indicators that could be used to make a judgement about a school's inclusivity. These included:
 - Rates of suspension and permanent exclusion
 - Attendance
 - Level of Elective Home Education
 - Proportion of pupils with an EHCP and on SEN support
 - Level of requests for top-up High Needs Funding
 - Achievement and progress of pupils with SEND
 - Engagement in SEND Inclusion training and development opportunities.

- 4) Each of these indicators was measured and considered independently. KCC had also developed the District Dashboard to bring together key data relating to inclusion. This was regularly updated. Each school could view its own data. The dashboard was rolled out during the summer term of 2023 and was being updated with data for the 2022-23 academic year. It was a key tool which would help schools, in their Locality Clusters, to better understand both local needs and variations, and to improve consistency in their inclusion practice across schools in Kent.
- 5) In reply to a question about improving school attendance in Kent, Christine McInnes said that there were initiatives to support young people returning to school. For example, some schools had developed a 'soft landing', that is, a transition period for children who were struggling after returning to school. There was also an anxiety avoidance training programme.
- 6) Kent, historically, had low attendance records that pre-dated the pandemic but had been exacerbated by it.
- 7) A Member asked how KCC was promoting inclusion training to those schools that were not engaging. Christine McInnes explained that KCC had recently recruited a team of inclusion champions whose role was to have discussions with schools that were not engaging. Some schools and Multi Academy Trusts were committed to developing their own inclusive practices and implemented training within their own settings, informed by the needs of their own pupils and families.
 - a) Alison Gleave added that KCC had a team of SEN Inclusion Advisers who supported Kent mainstream schools that had concerns about inclusion.
 - b) Sarah Hammond pointed out that a key objective was not just to increase the number of SEND children in mainstream schools, but to achieve fairer and more equitable distribution of them.
 - c) Mr Love said that Inclusivity was a criterion used by Ofsted to assess schools' performance. It was not KCC's role to hold local schools to account, although it could influence and incentivise schools' inclusion practices.
 - d) Christine McInnes explained that, for those with complex needs, the current system would remain in place - with a budget attached to each child. The system will change for those with lower levels of need, where a pooled budget model will apply.
- 8) The Chairman asked when the 4-year EEFfective Kent programme would end. Christine McInnes said that the programme ended in the summer 2023, and that it was currently being externally evaluated by the Industrial Society.
- 9) In answer to a question about the historical backlog of EHCPs in Kent, Craig Chapman said that there was a dedicated backlog team who were working to address this issue. It was expected that the backlog would be cleared by

September 2025. The work of the team would also ensure that no new backlog developed.

a) In reply to a question, Alison Gleave said that about 9,000 pupils had been waiting for an EHCP review for over 2 years.

10) In answer to a question about when KCC would reach EHCP issuing levels that were in line with statistical neighbours, Christine McInnes said that this was linked to the demand and confidence in the system; to set quotas and targets could potentially put KCC at risk of legal challenge.

a) Alison Farmer said that it was important to recognise that the number of EHCP assessments in Kent was relatively high. For instance, the number of EHC plans issued by East Sussex in 2022 was 518; in Kent it was 2,314. This was partly affected by factors such as the degree of SEND inclusion in Kent mainstream schools. If the work carried out by KCC to promote inclusion was effective, the number of EHCPs would be reduced.

11) In reply to a question about KCC's dyslexia guidance, Alison Farmer accepted that it was not a very parent-friendly document and explained that it was aimed mainly at schools. It offered guidance rather than a fixed approach because schools followed their own procedures to help pupils with dyslexia.

12) In answer to a question about the cost to KCC of a comprehensive EHCP assessment, Christine McInnes said that it ranged between £5,000 and £7,000.

13) **APP Indicator APP02: Percentage of Stage 1 SEND complaints responded to that were upheld or part upheld** (page 21 of the agenda pack). In reply to a question about what KCC was doing to reduce the percentage of complaints that were upheld, Alison Gleave said that a dedicated backlog complaints team had been established to deal with them. A key task for the team was to improve the quality and speed of KCC's responses.

a) Mr Love explained that, in some cases, complaints were made because parents had different expectations of assessment outcomes.

14) In response to a question, Alison Farmer said that KCC carried out the Education, Health and Care Needs Assessment, although parents sometimes paid for private educational psychology, and speech and language, assessment reports.

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

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