

# KENT COUNTY COUNCIL – RECORD OF DECISION

## DECISION TAKEN BY:

**Sue Chandler, Cabinet Member for Integrated Children's Services**

## DECISION NO:

**21/00023**

**For publication** [Do not include information which is exempt from publication under schedule 12a of the Local Government Act 1972]

### Key decision:

*Key decision criteria. The decision will:*

- a) result in expenditure which is significant having regard to the budget for the service or function (currently defined by the Council as in excess of £1,000,000); or
- b) be significant in terms of its effects on a significant proportion of the community living or working within two or more electoral divisions – which will include those decisions that involve:
  - significant service developments, significant service reductions, or significant changes in the way that services are delivered, whether County-wide or in a particular locality.

### Subject Matter / Title of Decision

Extension of the Specialist Teaching and Learning Service (STLS) Service Level Agreement (SLA)

### Decision:

As Cabinet Member for Integrated Children's Services, I agree to:

- Variation of Key Performance Indicators (KPIs) and extension of the STLS SLA for one year, commencing April 2021.

### Reason(s) for decision:

#### Background:

The Specialist Teaching and Learning Service (STLS) resource was devolved in 2012 to 12 Special schools in Kent, and 2 countywide provisions for Sensory impairments and Physical Disabilities, to support the progress of pupils with special educational needs across the following 4 areas of need:

- Cognition and Learning
- Communication and Interaction
- Social, Emotional and Mental Health, and
- Physical and Sensory

In January 2016 the SLA holding Special Schools aligned the use of their outreach funding with the STLS pot to further develop the district outreach and training offer.

The expectations and quality assurance of the delivery of the service are outlined in a service level agreement (SLA), which will expire at the end of March 2021. This agreement has not seen any significant changes since implementation in 2012. The outcome of interventions is monitored by the district Local Inclusion Forum Team (LIFT) Executive and by the LIFT Strategic Board which is accountable to the Corporate Director for Children, Young People and Education.

With consideration to the multiplicity of scheduled SEN activities, both systemic and commissioned,

a phased approach to renewal of the STLS is recommended to ensure best outcomes will be achieved for CYP with SEND.

**Phase 1** – Variation and extension of the STLS SLA for one year from April 2021. A collaborative working partnership has already begun to review the Key Performance Indicators (KPIs) with STLS leads, which will go through the governance approval of SEN management, Kent Association of Head Teachers (KAH) Area Boards and the Kent Special Educational Needs Trust (KSENT), prior to commencement of the SLAs from April 2021.

The impact of the service will be measured against the Children and Young People's Outcomes Framework, which was developed with families and reflects what children and young people and their families told us was important to them. A performance framework for outcomes would allow measurement of whether the service is meeting the needs of CYP and identify potential gaps in provision to inform service improvement and development.

**Phase 2** – From April 2021, a programme of wider stakeholder engagement will be planned, including CYP with SEND and their families, as well as the mainstream schools and settings. Information sharing with and views of CYP with SEND and their families will be integral to every level, to inform the effectiveness of the intervention and ongoing service improvement of the STLS.

During the first quarter of the new financial year, further information will be gathered based on Joint Strategic Needs Assessment (JSNA), SEN systems, Schools/Settings, to identify any potential gaps in the provision and identify opportunities/ interdependencies/ overlaps in the system across the Inclusion work and other commissioning activities.

STLS support and interventions will be closely linked to the settings or school's levels of intervention and work collaboratively with Kent County Council SEN team and other key professionals to identify and set priorities to target the service for optimum impact.

Sensory STLS – is the only specialist service with a statutory function and is closely linked to the Statutory Social Work function and the Habitation Service (provided by KAB). Work is in progress to develop a more holistic sensory offer to ensure the right support is provided at the earliest opportunity.

PD STLS – Future model development needs further exploration to identify what the current offer is and if better outcomes are achievable if the service is aligned to another part of the business.

### **Impact of COVID**

The STLS service has completely diversified the way in which it has worked during the pandemic. In developing the pandemic offer Head teachers, SENCOs, families and students have been consulted to make sure that what is offered matches the priority needs of the stakeholders.

### **Financial Implications:**

The current annual budget for the STLS is £7.8m per annum. This budget is funded from the High Needs Block of the Dedicated Schools Grant.

### **Legal implications**

The Specialist Teaching and Learning Service operates within a framework of national legislation and local strategies and standards.

The Children and Families Act 2014 and SEND Code of Practice 2015 set out the responsibility to improve services, life chances and choices for vulnerable children and to support families. The Act

states that “where a pupil continues to make less than expected progress, despite evidence based support and interventions that are matched to the pupil’s area of need, the school should consider involving specialists.

Schools also have a range of duties under the Equalities Act 2010, including duties relating to disability.

Sensory STLS undertakes a statutory function on behalf of the local authority.

### Equalities implications

An Equality Impact Assessment (EQIA) screening has been carried out. It identified a low adverse equality impact rating. A full EQIA will be undertaken as part of the new service development.

### Other Alternatives Considered and risks if decision isn’t taken.

Alternative options considered are set out in the table below, together with associated risks and benefits for each option. The recommended option is option 4.

Option	Risks	Benefits
<p><b>Option 1 - Do Nothing</b></p>	<ul style="list-style-type: none"> <li>• The SLA will expire at the end of March 2021. The service will discontinue.</li> <li>• Sensory STLS provides a statutory function on behalf of the Local Authority (LA), discontinuation of which means the LA is not in compliance with its statutory duties.</li> <li>• Adverse impact on the Local Offer, where a significant proportion of the training is delivered by the STLS</li> <li>• LIFT offers a multiagency collaborative approach that enables schools and settings to identify the correct pathway to support CYP with SEND, thereby increasing their opportunities to be supported in mainstream settings as far as possible. Loss of this will be of great detriment to schools and settings.</li> <li>• Adverse impact in addressing the outcomes for CYP with SEND, as identified in the WSoA.</li> <li>• Potential public and political fallout of withdrawal of the provision, with no alternative plans in place.</li> <li>• Loss of outreach specialist support will result in an increase in requests in statutory assessments for Education Health and Care Plans (EHCP)</li> </ul>	<ul style="list-style-type: none"> <li>• Financial saving of £7.8M</li> </ul>
<p><b>Option 2 - Extend the SLA without variation to KPIs</b></p>	<ul style="list-style-type: none"> <li>• The current SLA does not identify outcomes, and some of the KPIs are too broad for an effective measure of impact, service improvement or development.</li> <li>• The current LIFT activity data is limited in its scope to address identified areas of</li> </ul>	<ul style="list-style-type: none"> <li>• Continuation of status quo</li> </ul>

	need and improvement		
<b>Option 3 -</b> Variation of KPIs and 6-month extension of SLA	<ul style="list-style-type: none"> <li>• Insufficient time to undertake a truly collaborative approach to service improvement and development with the voice of children and young people and their families and the wider key stakeholders (mainstream schools and settings) missing, as an integral part of the process.</li> <li>• Wider SEND/ Inclusion activities will not have been implemented in time and therefore impacts &amp; benefits not yet realised.</li> <li>• The SEND Organisational Development work will not have been completed</li> </ul>	<ul style="list-style-type: none"> <li>• Limited impact in addressing some of the immediate challenges, as identified through the service review.</li> <li>• Limited alignment with aspects of the wider SEND commissioning activity that have been implemented by September 2021.</li> </ul>	
<b>Option 4 -</b> Variation of KPIs and 12-month extension of SLA  (Recommended option)	<ul style="list-style-type: none"> <li>• Service provision will remain the same in the interim period, pending extensive stakeholder engagement and co-production to design and develop the new service</li> </ul>	<ul style="list-style-type: none"> <li>• Revised KPIs inline with the CYP Outcomes Framework will enable a more robust and meaningful measure of the impact of provision</li> <li>• A longer extension of 12 months will allow sufficient time to: <ul style="list-style-type: none"> <li>➤ understand the impact of the current provision</li> <li>➤ undertake a full options appraisal</li> <li>➤ co-produce the new service specification in collaboration with all key partners including parents/carers, and young people to create substantiable improvements in the STLS provision and transform Kent's SEND offer.</li> </ul> </li> <li>• Achieve the outcomes set out in WSoA</li> <li>• Better value for money and return on investment with alignment of all related SEND activities</li> </ul>	

**Cabinet Committee recommendations and other consultation:**

The Children's and Young People Cabinet Committee considered the decision on 9 March 2021.

**Any alternatives considered and rejected:**

As stated above.

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:** None

*Sue Carter*

19 March 2021

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signed

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date