From: Rory Love, Cabinet Member for Education and Skills

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            Sarah Hammond, Corporate Director Children, Young people and
            Education.

To: Cabinet - 1 December 2022

Subject: SPECIAL EDUCATIONAL NEEDS AND DISABILITIES
            TRANSFORMATION.

Classification: Unrestricted

Past Pathway of report: N/A

Future Pathway of report: N/A

Electoral Division: All

Summary: This report is a summary of the work being undertaken to improve both the outcomes for children and young people with SEND, which predates the Ofsted/CQC revisit, and to deliver the systemic changes required of the Local Area to meet the requirements of the DfE regarding the Safety Valve agreement. These two previously distinct but now interlinked work programmes have been brought together under the SEND Transformation Programme.

The Kent SEND Transformation Programme encompasses a number of different projects and workstreams which align themselves within the overall Kent SEND strategy and Government SEND Review: Right support, right place, right time.

This report sets out the key project themes, examples of individual projects within each operational group, current progress to date and the recognition that they are at various stages of development. The Governance and reporting mechanisms and progress against this for the overall programme. Recognition that it will take 2 years to see significant change as a result of delivering our overarching plan and commitment to educate children in their local school and for only a small minority of children this might be a specialist provision.

Recommendation(s): Cabinet is asked to NOTE the content of the report and the actions already underway in addressing the areas of weakness identified in the SEND revisit and to prepare to meet the requirements of the Safety Valve programme.

1.   The Ofsted/CQC SEND revisit.

1.1 The Kent local area inspection by Ofsted and the CQC, for children with special educational needs and disabilities took place in January 2019. This inspection found 9 significant areas of weakness across the Local Area which resulted in a written statement of action being issued.

1.2   During the week of the 26th of September 2022, the Local Area was revisited by His Majesty's Inspectors from Ofsted and the CQC, who found that the area had not made sufficient progress in addressing any of the significant areas of weakness identified in the 2019 SEND Inspection. The Local Authority, the Integrated Care Board and leaders representing schools and settings are deeply sorry for the impact which this has had on children, young people, and their families.

1.3   The 9 areas of weakness identified cover the full range of services for children and young people with SEND, and it is of great regret and sadness that more progress has not been made for them and their families. This is despite much work having taken place over the past 3 years across the Local Area. It is clear that the experience of parents in their communications with the local authority in particular has not been good enough. Children and young people's voices have not been heard in meaningful way and taken into account. Outcomes for children and young people have not improved sufficiently, despite greater numbers than ever being identified as having SEND needs, and record levels of funding being made available. The need for more urgent and meaningful change is fully recognised and the transformation of SEND services is a high priority for the Council and the Local Area.

1.4   Much of what is required to change to address the weaknesses identified by Ofsted/CQC, mirrors the work required to meet the DfE Safety Valve programme outcomes. These two drivers have been brought together under one set of Governance structures which reflect both the internal KCC programme of work, and the partnership work required of the whole Area to improve outcomes for children and to deliver a sustainable and effective SEND system in Kent.

1.5   Several options are now available to the DfE/NHSE to oversee the required improvements across the Local Area for SEND services in Kent. On hearing from the DfE/NHSE, an Accelerated Progress Plan (APP) will be required to be formalised by the Local Area against which Outcome and Impact based Key Performance Indicators will be scrutinised and addressed. The SEND Partnership Assurance Board will oversee this work on behalf of the Local Area, with the Council's SEND Transformation work feeding into this.

1.6   An extensive report along with slide deck was presented and discussed at the CYPE Cabinet Committee on the 29th of November 2022. The Committee was attended by and heard from representatives of Kent PACT who contributed to the discussions, and alongside Members challenged the Lead Members and the Corporate Director to improve services and outcomes for Kent's children with SEND with urgency and purpose.

1.7   Consideration was given to the extent to which the current data set provided to support Member oversight of SEND should be improved, including staffing numbers and experience and this was agreed. Co-production of meaningful and transparent performance information will be undertaken with Members and Parents early in the new year.

1.8   Committee members were passionate in their requirement for parents and young people to be fully involved in the design and delivery of the SEND Transformation programme and PACT were able to confirm the extent to which they had been previously involved with the WSoA. PACT will continue to be a very valued

partner of the Local Area, particularly as their membership grows, but the greatest range of parental voice and experience will also be sought from representative groups. Advice will be sought from PACT as to the best way of achieving this.

2.   Overview of the SEND Transformation work.

2.1   Since 2019, there has been considerable work undertaken, designed to address the areas of weakness identified by inspectors and this was recognised at the recent revisit. However, it became increasingly clear, as preparation work begun for the Safety Valve submission earlier in the year, that the work had mostly been taking place in isolation and would still take some time to be delivered effectively and improve outcomes for children and young people.

2.2   The Safety Valve work, which began in May 2022, has enabled a greater, whole council understanding of the system change required and the financial risks associated with not reforming services. The SEND Transformation Programme has also been recognised as a priority for the local authority, and this programme has formed a part of the work within the Strategic Reset Programme Board since May 2022.

2.3   There are now three SEND Transformation Operational Groups which are responsible and accountable 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 and within the budget available.

2.4   Considerable progress has been made within the initial three months of the SEND Transformation Programme becoming formalised. However, to make a significant and measurable change and impact to SEND services for children and young people the totality of the transformation work required is likely to take two years. The Safety Valve delivery work is a 5-year programme in recognition of the size of the current High Needs Funding Deficit and the challenges which Kent face.

2.5   A Programme Manager was appointed in late August and a small programme team has been created from within KCC's Innovation and Strategic Reset Programme teams to support this work.

2.6   Governance and reporting mechanisms are now established, and operational and strategic groups are underway. It is currently proposed that the work of the KCC SEND Transformation Board will report through the lead members to the CYPE Cabinet Committee, the Cabinet and Corporate Board. Consideration will also be given to a full cross-party membership of the SEND Partnership Assurance Board, where all partners from across the area will be represented including parents, and where the Local Area will be held to account on the progress of the APP. Without a full understanding and oversight of the interdependencies between each partner agency to deliver on the improvement required, Members could be at a disadvantage in their ability to have oversight and challenge of progress.

2.7   There are three SEND Transformation Operational Groups which between them are responsible for over 60 active projects that aim to ensure children with SEND

have equitable access and successful outcomes in line with the Children and Young People Outcomes Framework.

3.   Governance

3.1   The SEND Transformation Operational Groups have divided these projects into 3 groups. Every individual project has a project lead who is responsible for the monthly reporting and continued progress of the project and a project sponsor who is accountable for the success of the project. Ensuring both operational and strategic oversight is effectively managed with an overall specific shared outcome.

3.2   The three groups are headed by a CYPE Director and co-chaired by colleagues from across other Local Authority Directorates meeting fortnightly to oversee the internal improvement work. This aims to streamline the governance process and to provide clear oversight at an operational level of the broad range of activity underway.

3.3   The groups report directly into the SEND Transformation Strategic Board which meets monthly and is chaired by the Corporate Director Children, Young People and Education.

3.4   The previous SEN Improvement Board has been stepped down and a new SEND Partnership Assurance Board is being set up to include key strategic partners, including parents, to give a broader overview of how this work can be best aligned with wider stakeholders own priorities. This will also offer parents and carers who will be represented on this board the confidence that KCC is working in an open and transparent way to fully collaborate with multiagency stakeholders to deliver this SEND Transformation Programme. This should include cross-party Member representation and challenge to be at its most effective.

3.5   The SEND Transformation Strategic Board and the SEND Partnership Assurance Board reports monthly into the Strategic Reset Programme Board and KCC standard governance process beyond this are then followed. Substantial service or policy changes will be subject to the relevant Executive decision-making processes as appropriate.

4   Monitoring and reporting.

4.1   A Teams site has been set up with project tracker and files to give transparency and overview to all KCC officers involved directly in projects.

4.2   Each project lead has completed a data capture form for each piece of work they are responsible for which then updates the project tracker initially. New projects coming online will also capture this initial data in the same format which identifies purpose, key milestones, risk and resource needs.

4.3   Monthly reports are requested and received via automated email from each individual project lead to highlight progress against milestones, any RAG rating changes, changes to resource needs or anticipated additional support.

4.4   November reporting returned over 20% of updates within the first day and over 50% within 2 days, well within the week target set for returns. Evidencing this is a successful and intuitive way to capture information needed.

4.5   The three operational group chairs each delivered a verbal report to the SEND Strategic Board from their initial two meetings. From December the operational group chairs will provide written reports to ensure all members of the board are in full sight of projects making expected progress and also any slippage of individual projects.

4.6   The programme manager returns a monthly report to SRP on overall programme progress and risk alongside attending regular update meetings with wider SRP officers.

5.   Operational Group 1

5.1   This group of projects includes those broadly under the areas of Health, MI Systems, Post 16 & Alternative Provisions.

5.2   An example of a long-term project is the Balanced System which aims to offer a seamless universal, targeted and specialist offer for speech, language and communication (SLC) that is informed by needs and tailored to deliver equity of outcome geographically. The aim is that schools and settings are confident in developing SLC skills, supporting SLCN, that families and young people are confident in SCLN support available. Progress is on track with 2022 cohort initial mentor meetings with schools having been completed (9 EY settings, 11 Primaries, 2 Secondaries) by the end of October.

5.3   An example of a shorter-term, better-known project is the CATIE 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. In addition, there will be 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. Although the school dashboard work is in its primary stages, progress is already underway, and the next steps are to agree scope and design a detailed specification alongside our school partners.

6   Operational Group 2

6.1   This group of projects includes those broadly under the areas of Inclusion early years & mainstream; sufficiency plan, locality-based resources and predictive modelling.

6.2   An example of a large-scale project is the Review of County Approaches to Inclusive Education (CATIE) which includes a number of smaller projects. The CATIE document is being re written to reflect the changes we have already made and will be ready for re-publication in January 2023. In the long term, this document is intended to shape how inclusive education is delivered across the county within the letter and the spirit of the law.

6.3   To date 74% of schools have engaged in at least one of the commissioned services which have been laid out in the CATIE. The Inclusion Leadership programme is designed to develop senior leaders in schools who can be deployed across several schools to improve their inclusive practice. We are in cohort two and recruiting for cohort three. The Special Resource Provision work being undertaken as part of the sufficiency plan was mentioned above, as was the establishment of the District Placement meetings. They are short term projects which feed into a longer-term plan.

6.4   The Social Emotional and Mental Health deep dive is a short-term project which has been completed and which has highlighted the considerable difficulties and challenges schools are facing with the extent of SEMH needs in their settings. The next steps are to look at specific provision and to provide training alongside a strategy for this type of need across the county. This is a longer-term piece of work, but the deep dive gives us the evidence to take it forward.

6.5   An example of another longer-term project is the Autistic Education Trust autism training and strategy 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 autistic children and young people. The aim of this programme is to raise awareness of autism across various stakeholder groups. This includes more targeted and specialist training options developed for teaching staff to improve their skills and knowledge to provide the right support for CYP with ASD needs 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 is planned from January 2023.

7   Operational Group 3

7.1   This group of projects includes those broadly under the areas of Parental engagement related activities, SEN process & structure and communication strategy

7.2   An example of a shorter-term project is the prioritisation of the annual review backlog, using a focused task force to reduce the current backlog of annual reviews and ensure children and young people's EHCP needs are reviewed in a timely manner. Prioritisation is being undertaken to ensure CYP approaching phase transfer and those with long delays are reviewed quickly. Despite some delays in this project starting, due to low levels of staff and the need to further recruit to these vacancies within the team, progress is underway, and it is expected to accelerate during the next 2 months.

7.3   An example of a newer project is the review of 16- 19 placements to ensure CYP are placed in the most appropriate environment to support their transition to adulthood and the development of their independence. The work of the project has already identified the need to prioritise the effective and earlier transition of YP approaching the phase transfer period (16+) bringing it forward in the academic year than happens currently. This will increase numbers of young people being supported locally at phase transfer and decrease the number of young people having to resort to less appropriate placements which may be some distance from home and not allow them to benefit from the support of their local community and friendship groups.

7.4   Work on the Information Hub is underway, with the exploration of the digital and staffing requirements needed to create a seamless, responsive navigation tool for parents and professionals to access. This will be co-produced by parents, carers and other stakeholders.

8   Proposed Future External Reporting and Monitoring Mechanisms.

8.1   The DfE and NHSE will determine the level and intensity of any reporting and monitoring mechanism to Government regarding the SEND revisit outcomes. The Local Area is awaiting the Ministerial decision as to extent of external scrutiny and oversight will be given.

8.2   The progress of the SEND Local Area response will be monitored and challenged by the SEND Partnership Assurance Board. The Accelerated Progress Plan (APP) will form the core Action Plan by which the Local Area will hold itself and others to account in achieving the required outcomes for children and young people.

8.3   The work of the KCC SEND Transformation Board and the SEND Partnership Assurance Board will report through the Lead Members to the CYPE Cabinet Committee, the Cabinet and Corporate Board. Oversight may also include a sub committee of the Scrutiny Committee, but this is yet to be discussed and agreed by the Executive.

8.4   In conclusion, the transformation of Kent's SEND services is a whole system approach which brings partners together across the Area to meet the needs of children and young people at the right time, in the right way to prevent an escalation of need. The work set out in this report will ensure that for most children with SEND, parental concerns and children's needs are addressed early on, through a range of appropriate support and interventions located in mainstream settings and schools. Those children with the most complex Education, Health and Care needs will require an ECHP to bring together those aspects of their lives and to ensure that their needs are met appropriately. Parental confidence and satisfaction will grow and children and young people will achieve better outcomes and their opportunities for an independent adult life will be enhanced.

Recommendation(s): The Cabinet is asked to NOTE the content of the report and the actions already underway in addressing the areas of weakness identified in the SEND revisit and to prepare to meet the requirements of the Safety Valve programme.

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