

KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

DECISION TO BE TAKEN BY:

Cabinet

DECISION NO:

23/00107

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

Key decision: YES

Key decision criteria. The decision will:

- a) *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:*
 - *the adoption or significant amendment of major strategies or frameworks.*

Subject Matter / Title of Decision

Kent SEND Sufficiency Plan 2023

Decision:

Cabinet, agree the Kent SEND Sufficiency Plan 2023

Reason(s) for decision:

Background

This is the first time that KCC has produced a Sufficiency Plan for Special Education Needs (SEN) Provision. Most Local Authorities now produce an analysis and plan that sits under their SEND Strategy and feeds into their Education Commissioning Plan and capital strategy for education provision.

Kent's Commissioning Plan for Education Provision has included a section on Special Education Needs Provision; however, this has always been a high-level summary based on limited analysis and forecasting.

Options:

Commissioning recommendations for this first plan are limited by the need for the Special School, Specialist Resource Provision and Early Years reviews to complete. The outcomes and recommendations from these reviews will be key to informing future commissioning decisions. Commissioning recommendations from the SEND Sufficiency Plan will be reflected in Kent's Commissioning Plan for Education Provision 2024 to 2028 and are set out in the tables below.

For post-16, actions are underway to meet demand regarding place planning, with engagement from all FE groups as part of multiple projects around access for students to mainstream settings. The phases of implementation of the SEND Sufficiency Plan will be influenced by the medium and longer-term commissioning decisions that result from the data presented.

Financial Implications:

Following consultation and approval, the SEND Sufficiency Plan 2023 will feed into capital plans through KCC's Commissioning Plan for Education Provision in Kent 2024 – 2028 as all commissioning intentions set out within the Sufficiency Plan are reflected with the current draft Commissioning Plan.

Legal Implications:

The County Council has a statutory duty under section 14 of the Education Act 1996, to ensure there is a sufficiency of school places available to meet the needs of all children and young people living within our authority. This includes the need to secure provision for children with special educational needs and disabilities (SEND). In addition, section 315 of the Education Act 1996 requires that arrangements for children with SEND be kept under review.

The provision of sufficient school places is a statutory duty and contributes to the Strategic Business Plan Priorities to ensure that “Children and Young People in Kent get the best start in life”.

Equalities implications:

An Equality Impact Assessment (EqIA) has been completed for the Kent SEND Sufficiency Plan 2023. The screening found no evidence that the Sufficiency Plan will impact negatively on pupils from protected groups or lead to them being treated less favourably.

Data Protection implications

n/a

Cabinet Committee recommendations and other consultation:

The Children’s and Young People Cabinet Committee considers the decision on. 21 November 2023

Any alternatives considered and rejected:

- 1.1 This first SEND Sufficiency Plan is a first step towards establishment of an annual cycle of forecasting for SEND provision linked to the delivery of Kent Safety Valve Agreement with the DfE and feeding into the Commissioning Plan for Education provision in Kent.
- 1.2 The Plan will provide analysis and an evidence base to inform longer-term capital planning for SEND provision.

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

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signed

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date