

Motion for Time Limited Debate on the Scrutiny of Kent County Council's (KCC) Special Educational Needs (SEND) Provision

Proposer: Richard Streatfeild, MBE

Seconder: Chris Passmore

Background provided by the Liberal Democrat Group

The provision of support and services for children and young people with special educational needs and disabilities (SEND) varies widely across the country, creating a postcode lottery that affects the life chances and wellbeing of thousands of families. According to the Education Policy Institute, there is a 27-percentage point gap between the best and worst performing local authorities in England in terms of meeting the statutory timescales for assessing and finalising Education, Health, and Care (EHCP) plans, which set out the support that children and young people with SEND are entitled to. Furthermore, the National Audit Office has found that the demand for EHC plans has increased by 33% since 2014, while the funding for high-needs education has only increased by 7%.

In Kent, the situation is particularly concerning, as the percentage of EHCPs issued within 20 weeks is below the England average, as in Kent only 40.9 percent were delivered within the statutory timescales, compared to a national average of 49.2 percent. This means that thousands of children and young people with SEND in Kent are waiting longer than they should for the support they need, and many are missing vital care and support. Kent County Council (KCC) has been found by Ofsted and the Care Quality Commission (CQC) to have nine areas of weakness that require improvement in its SEND provision, including poor joint working between education, health and social care services, lack of engagement with parents and carers, and insufficient oversight and quality assurance of EHC plans.

Since September 2022 much work has been done by the council to address this situation. The SEND Accelerated Progress Plan (APP) is the cornerstone of this work. The APP has been in place for 12 months and the Department for Education (DfE) will report on the level of impact it has had. Much of the work has been overseen by the Special Educational Needs and Disability Assurance and Improvement Board. The board is cross party, independently chaired and includes representatives from KCC's directorates, including Children, Young People and Education (CYPE), and Adult Social Care and Health (ASCH).

The public scrutiny of the process has been undertaken by the SEND Sub-Scrutiny Committee. In April 2024 the Scrutiny Committee decided to bring the scrutiny of SEND back to the main committee.

Motion

The Council notes:

- a. The decision taken by the Scrutiny Committee on 24th April 2024 to disband the SEND Sub-Committee and bring the issue back to main committee agenda.
- b. The work that has been undertaken by this council as part of the APP.

The Council resolves to:

- a. Agree that there is still work to be done to achieve the level of SEND provision required by children and parents in Kent, and the statutory guidance as set by national government.
- b. Agree that public scrutiny of the process has been weak which undermines assurance to children with SEND and their parents.
- c. Recommend to the Scrutiny Committee that it establish a public Short Focused Inquiry (SFI) on KCC's SEND Provision to:
 - i. to scrutinise the success of the APP for SEND considering DFE findings in May 2024.
 - ii. to assure Kent residents that the system of SEND in Kent will be successful and sustainable.
- d. Recommend that the inquiry should be chaired by a member of the opposition.
- e. Recommend that the inquiry will report in no more than six months and meet publicly at least once a month to give the correct level of assurance to Kent residents.
- f. Recommend that the inquiry, in pursuit of its objective, should seek to explore, among other important elements, the following key issues and make relevant recommendations to the Executive on these topics
 - i. Why does Kent have 5% of its children with an EHCP?
 - ii. Is the NHS supporting a successful sustainable system?
 - iii. How are Kent's schools supporting a sustainable system?
 - iv. What is KCC doing to support a successful sustainable system?
 - v. What does it cost to support a successful sustainable system?
 - vi. Are children and parents reassured the APP will work in an appropriate timeframe?
- g. Recommend that evidence should be taken from, but not limited to the following groups: children, parents', schools, NHS, DFE, SIAB and KCC Officers.