
From: Rory Love, Cabinet Member for Education and Skills
Sue Chandler, Cabinet Member for Integrated Children's Services
Sarah Hammond, Corporate Director of Children, Young People and Education

To: Children's, Young People and Education Cabinet Committee – *16 January 2025*

Subject: Special Education Needs transformation and the role of the Specialist Teaching and Learning Service (STLS)

Decision no: *24/00119*

Key Decision :

- It affects more than two Electoral Divisions
- It involves expenditure or savings of maximum £1m

Classification: Unrestricted

Past Pathway of report:

Future Pathway of report: Cabinet Member Decision

Electoral Division: All divisions

Is the decision eligible for call-in? Yes

Summary: This report provides the Children's, Young People and Education Cabinet Committee with the findings of a public consultation into how the Specialist Teaching and Learning Service (STLS) might fit into new ways of working being implemented as part of the transformation of education support for children and young people with special educational needs and disabilities (SEND), including a recommendation for the future of the service beyond the end date of the current Service Level Agreement.

Recommendation(s):

The Children's, Young People and Education Cabinet Committee is asked to **CONSIDER** and **ENDORSE** or **MAKE RECOMMENDATIONS** to the Cabinet Member for Education and Skills in consultation with the Cabinet Member for Integrated Children's Services on the proposals as set out in the Proposed Record of Decision (PROD).

1. Introduction

- 1.1 A report was presented to the Children's, Young People and Education Cabinet Committee on 1 March 2022 regarding the Specialist Teaching and Learning Service (STLS) and the implementation of a transformational Service Level Agreement (SLA) from September 2022 to August 2025. [Issue details - 22/00001 - Specialist Teaching and Learning Service \(STLS\) - Consultation outcome on service redesign and delivery options from April 2022.](#)
- 1.2 A further report was presented to the Children's, Young People and Education Cabinet Committee on 9 July 2024, detailing information about the Specialist Teaching and Learning Service (STLS), including how it provides support to mainstream education settings, performance information, feedback from stakeholders on the impact of the service and options that have been considered for the future of the service beyond the end of its current Service Level Agreement (SLA). The documents can be found under Item 5 here [Agenda for Children's, Young People and Education Cabinet Committee on Tuesday, 9th July, 2024, 2.00 pm](#)
- 1.3 At that time, the intention to undertake a public consultation to understand how the STLS might fit into the new ways of working that are being implemented as part of the SEND transformation was shared.
- 1.4 A public consultation was subsequently undertaken between 9 September 2024 and 3 November 2024. Having considered the feedback from that consultation this report describes the proposal for the future of the service beyond the term of the current Service Level Agreement (SLA), including how the service will be funded in the future.

2 Key Considerations

- 2.1 The future of the STLS service is linked to the implementation of other SEND Transformation projects, including the Locality Model for School Inclusion, SEN Schools Funding Model and Revised Model of Support for Early Years.
- 2.2 The future service delivery model of STLS must fit within the underpinning principles and ways of working being implemented through these transformation projects. This will require STLS to adapt and modify some aspects of their service delivery.
- 2.3 In addition, STLS must contribute towards a SEN model that is financially sustainable over the longer term.
- 2.4 In response to the outcomes of the public consultation, the recommendation is to continue funding STLS beyond the end of the current SLA.

3 Background

- 3.1 The overarching aim of the STLS is to support mainstream early years settings and schools to build their capacity and confidence in delivering high quality provision for children and young people with SEND, in improving pupil progress and outcomes and to spread best practice across educational settings.

- 3.2 Across the county, 81% of early years settings, 100% of primary schools and 90% of secondary schools engaged with STLS on average per term during the 2023-2024 academic year. Demand for STLS is high, and feedback indicates that it is deemed to be of a high quality and to have a positive impact on inclusion of children and young people with SEND in mainstream settings. Feedback also suggests that there is some variation of offer and quality across the county, capacity issues in relation to ability of the service to meet demand within the existing workforce, and that the model, in its current form is not financially sustainable over the longer term without additional investment.
- 3.3 The model outlined in this paper seeks to address these issues while ensuring that there are sufficient resources in place to support the national and local ambition to improve mainstream provision so that it is more inclusive of children with SEND. This ambition being a fundamental principle within the transforming Kent education landscape.
- 3.4 The consultation period was eight weeks, commencing 9 September 2024 and ending 3 November 2024.
- 3.5 A full description of the process and analysis of the consultation responses is included as Appendix 1. A summary is provided in Sections 3.6 to 3.10.

Summary of consultation responses

- 3.6 The consultation sought views on how the STLS might fit into the new ways of working that are being implemented as part of the SEND transformation. To achieve this, feedback was sought on the following areas:
- the gaps and duplications that might exist in the future ways of working and how this relates to the district STLS across Kent,
 - how the service might support schools and settings to deliver outcomes as per the Children and Young People's Outcomes Framework,
 - how the service supports the embedding of inclusive practice in schools and settings,
 - the role that the service might play within processes and pathways being implemented as part of the new ways of working,
 - which of the identified funding options might be referable, including whether the mechanism for funding early years STLS should be considered separately from school age STLS.
- 3.7 The consultation received a total of 523 responses; 427 from professionals and 96 from residents, 81% of whom were parents or carers. The largest group of responses (26%) were received from primary school Special Educational Needs Co-ordinators (SENCOs).
- 3.8 Responses were received from professionals working in each district in Kent, although the overall distribution was uneven. The highest number of responses from professionals came from Maidstone (18%) and Thanet (17%) districts. Responses were received from residents in each district in Kent, except Dartford. The highest number of resident responses was received from Maidstone (17%) and Swale (17%).

- 3.9 Overall, there was consistency across of feedback across both professional and resident groups.
- 3.10 As part of the consultation, a proposal to deliver the service across the county was submitted by a sole organisation. Proposals were not requested as part of the consultation, but due consideration was given to this feedback and a further options appraisal was undertaken and is shown at Appendix 2.

Revised model of STLS support to mainstream settings

- 3.11 Professionals and residents agree that STLS have the skills and knowledge to provide support across a broad range and complexity of need, have a positive impact on developing and embedding inclusive practice and have an impact on upskilling the teaching workforce in increasing confidence and knowledge of supporting children with SEND in mainstream settings. The latter of which was identified as a gap in relation to the current offer of support to mainstream settings. Therefore, funding will be prioritised for this service to continue. The service will be expected to flex how it operates to support greater inclusivity in mainstream schools by offering practical support and strategies alongside classroom based staff in a coaching/mentoring capacity. This is intended to be a more efficient and effective use of resources within the service.
- 3.12 The key outcomes of STLS will focus on supporting early years settings and schools to develop and embed greater inclusive practice, improving SEND knowledge within mainstream settings though providing support and training to mainstream staff and supporting children and young people to achieve outcomes identified within the Children and Young People's Outcomes Framework with a specific focus on outcomes related to My Learning, My Independence, My Future and My Voice.
- 3.13 Gaps related to health provision, such as Speech and Language Therapy, Occupational Therapy and mental health services, identified within the consultation, will not be filled by STLS. However, STLS will continue to work collaboratively with health partners in relation to the embedding the Balanced System® more widely within Kent's mainstream settings and schools.
- 3.14 School age STLS will form part of a local offer of professional resources available to mainstream schools. This Professional Resources Group includes Kent Education Psychology Service (KEPS), Special Education Needs (SEN) Inclusion Advisors, Kent Pupil Referral Unit (PRU) and Attendance Service (KPAS), Inclusion Champions, representatives from PINS project and STLS Sensory and Physical Disability Services.
- 3.15 Early years STLS will form part of a local offer of professional resources available to mainstream early years settings. This Early Years Professional Resources Group includes Early Years Advisors (formerly Equality and Inclusion Advisors and Improvement and Standards advisors), SENIF Practitioners and Early Years Outreach Service (formerly Specialist Nursery Intervention) practitioners

- 3.16 School age STLS will move to a Link Worker model. This reflects the model being implemented across other services within the Professional Resource Group. The Link Worker model enables an individual to build relationships with a school, becoming part of the support offer to the school and providing a lead contact for any of the children in the school or setting that may need support. This role will work with SENCos and senior leaders to plan how to meet need, avoiding the need for referral processes or waiting lists. The Link Worker model is currently operated by STLS in Thanet with great success.
- 3.17 STLS will no longer be required to deliver Local Inclusion Forum Team (LIFT) meetings to schools or early years settings. Attendance at LIFT as part of the process to access High Needs Funding and Special Education Needs Inclusion Funding (SENIF) has been removed as part of the implementation of the Revised Model of Support to Early Years and the Localities Model.
- 3.18 SENCos will be able to access peer to peer support through the Communities of Schools being introduced as part of the Localities Model.
- 3.19 Referrals to LIFT to access support from a specialist teacher will no longer be required. Instead, school age STLS will respond to requests for support from the Communities of Schools as part of the local offer. Support and advice will also be accessible through the allocated Link Practitioner. Early years STLS will respond to requests for support bought to the Early Years Professional Resource Group as part of a referral pathway.
- 3.20 Both early years and school age STLS will continue to support transition, working alongside other services within the respective Professional Resources Groups, to deliver this in accordance with the Transition Charter. Planning for transition will be led by KCC's SEND Inclusion Advisors.
- 3.21 Additional work will be undertaken to determine the STLS contribution to the core training offer available to schools. This will take into consideration training available through The Education People, Kent Education Psychology Service and will include supporting the delivery and embedding of Autism Education Trust training across the county. As part of the implementation of the revised model of support for early years settings, work is currently being undertaken to determine a core training offer for early years settings. The role of early years STLS in providing training will be informed through that process.
- 3.22 Capacity issues within school age STLS were identified in the consultation as creating gaps in the support available from the service. Moving to a Link Practitioner model, removing the requirement to administer and attend LIFT and focusing on a core training offer will address some of these issues, enabling STLS to have more time working directly with children and young people in settings and schools.
- 3.23 LIFT Executive will no longer be required to oversee the strategic or operational delivery of the service.
- 3.24 In the new ways of working, the impact of school age STLS will be evaluated by the Area Moderation Boards that are being established as part of the Localities Model for Mainstream Schools. The purpose of these boards is to evaluate the

impact that available resources have on embedding inclusive practice across mainstream settings, ensuring that resources are being used as effectively as possible, for maximum impact, and creating a model of SEND inclusion that is financially sustainable in the longer term. Key performance indicators developed to monitor the delivery of the service will be available to inform these discussions.

- 3.25 The impact of early years STLS will be measured through Key Performance Indicators being developed for each service within the revised model of support to early years settings. These will underpin a number of critical success factors that have been developed to understand the impact of the whole model of support.
- 3.26 The impact of the service on children and young people, as identified within the Children and Young People's Outcomes Framework, will be measured through the outcomes Measuring Matrix which will form part of the Key Performance Indicators for both early years and school age children.

Commissioning Intentions

- 3.27 Based on the outcomes of the public consultation, the intention is to continue funding STLS beyond the term of the current Service Level Agreement (SLA).
- 3.28 The proposal is that the STLS will be funded through the High Needs Block for school aged children through the funding to be made available for the Communities of Schools Budgets and will form a pre-determined committed sum.
- 3.29 Early Years Block Funding will be used to fund the STLS for early years providers.
- 3.30 As part of the consultation, a counter-proposal was submitted indicating that a single organisation could deliver the service across the county. In considering this feedback, a further options appraisal was undertaken in relation to potential lotting strategies for the delivery of the service and the type of organisation that could deliver the service.
- 3.31 Based on this, the Council intends to bring STLS in house and deliver it as an inhouse provision, forming part of a core offer of support to mainstream schools and early years settings. This is determined through the options appraisal, the evidence gathered and is by no means any reflection on the quality of service delivered by the 12 SLA holding special schools.
- 3.32 Following a previous Key Decision ([Issue details - 22/00001 - Specialist Teaching and Learning Service \(STLS\) - Consultation outcome on service redesign and delivery options from April 2022](#)) the STLS Sensory and Physical Disability service was transferred in house. The primary reason for this was to bring the statutory element of this service in house.
- 3.33 Bringing the non-statutory service in house provides the best opportunity to address issues related to variation in quality and capacity across the county, ensure that delivery of the service is aligned to other SEN transformation

projects, enable the service to adapt and flex to meet changing needs and ensure that it is contributing to a financially sustainable model in the future.

3.34 As a non-statutory service, STLS will always be at risk of funding being removed and prioritised for statutory services. The static budget within the current SLA means that, in the third year, the service is increasingly becoming financially unsustainable, requiring SLA holding schools to restructure, subsidise posts and not recruit to vacancies. The Council is in a stronger position to manage this risk in the future, for example, recently the Department of Education has provided additional funding to support teacher pay increases for “employed” staff whilst commissioned services are expected to pay for this through efficiencies.

3.35 The current SLA makes provision under the Scheme of Financing for schools for the Local Authority to meet the costs of redundancies associated with the STLS. To date, no requests of this nature have been received. Special schools have indicated that they would not take on any further service level agreements without a similar assurance. Consequently, bringing the service in house does not present an additional risk to the local authority in respect to the costs of redundancy.

3.36 Given the feedback from the consultation, service continuity remains a priority. To achieve this, it may be necessary to extend the existing Service Level Agreements for a three to six month period of time to effect a transition with minimal disruption to service delivery. Any extension would be of limited time and only used if necessary via delegated authority.

4 Options considered and dismissed, and associated risk

4.1 The following options were considered in relation to the future of the service. These options were described in the consultation document and respondents were able to comment on all of them using a free text box.

4.2 Based on a previous options appraisal, three options were identified by KCC as preferable. Respondents to the consultation were asked to rank these in order of preference.

4.3 Based on an options appraisal and outcomes of the current consultation, the following options were rejected.

- Option 1: End the service when the current Service Level Agreement ends on 31 August 2025.
- Option 3: STLS becomes a traded service.
- Option 4: STLS is funded via the School Inclusion Model for Mainstream, meaning that the service would be funded by Communities of Schools with money allocated to them from HNF block for local decision making.
- Option 5: Transfer the service from special schools to KCC, bringing the service in house.
- Option 6: Transition option, namely extending the current SLA for one year to enable a transition to Option 4.

- 4.4 In response to the proposal submitted for a single provider to deliver the service, the above appraisal was revisited, and consideration was given to the advantages and disadvantages of a single county wide provider, four area based or twelve district based providers. The type of organisation that could deliver across each of these footprints was also considered, necessitating further consideration of the Local Authority as a potential provider (Option 5 above).
- 4.5 In relation to the geographic footprint, the following options were considered and discarded:
- deliver the service across a district based footprint
- 4.6 In terms of the type of organisation that could deliver the service, the following options were considered and ruled out:
- Maintained schools (mainstream and special)
 - Academy trusts
 - Independent, external organisations
 - The Education People (traded arm of the Council)

5 Financial Implications

- 5.1 The current spend on the STLS is £5,856,468 per year. This includes both staffing and non-staffing costs.
- 5.2 This is a static annual budget that has remained unchanged since before the existing SLA.
- 5.3 Based on the proposal to bring the service in house, the annual staffing costs are estimated to be £5,760,325 (excluding current vacancies). This is based on the current establishment of the service as provided by special schools through regular performance monitoring. These costs would be expected to rise in line with relevant pay awards each year.
- 5.4 The future cost of the STLS service will be determined through a needs assessment to determine both the split of service costs between early years and school aged children, along with the value of the basic and traded service for school-aged children, the latter will be determined by the Communities of Schools requirements.
- 5.5 The proposed new operational model for STLS adds an additional element of financial risk, where the traded element of the service will fluctuate depending on the demand for the service by different communities of schools. To help mitigate against this risk, it is expected Communities of Schools will be required to provide a suitable period of notice to make changes allowing sufficient time to manage the change and flexibly deploy the resource in the most cost effective way.
- 5.6 The cost of bringing the service in house is estimated to be £580,318. This includes costs related to provision of equipment, technology and associated resource to manage this process. It does not include any potential redundancy costs, or additional premise costs (this is expected to be managed within

existing KCC buildings). This is expected to be managed in the first year within the overall envelope offset by normal staffing changes that can result from a change process.

- 5.7 A six month extension to the SLA in order to undertake the proposed transfer is estimated to cost £3,385,560.

Funding Arrangements

- 5.8 The service is currently funded from the High Needs Block of Dedicated Schools Grant (DSG) provided by the Department of Education (DfE). The High Needs Block is funded from a combination of the High Needs allocation from the DfE (annual grant of c£330m) plus a further contribution from primary & secondary budgets (equating to 1.2%) of approximately £15m, in response to the Council overspending its grant allocation. This transfer is expected to continue each year until the Council is able to operate sustainably within its high needs grant allocation. The transfer contributes towards the range of SEN support services to schools (of which STLS is one example). SEN Support Services are a discretionary service, and the total money available for all SEN Support services for schools is considered in context of the value of the transfer.
- 5.9 Spend is reported within the Special Educational Needs & Psychology key service line presentation of the 2024-2025 Medium Term Financial Plan. This is not currently a direct cost to the General Fund. However, the Council has committed to contributing a total of £82m towards the accumulated DSG deficit relating to High Needs overspends by 2027-28.
- 5.10 The proposal is for the SLTS to be fully funded through a combination of the High Needs Block and Early Years Block (of the DSG provided by DfE). The High Needs block will be used to fund service for school aged children through the funding to be made available for the Communities of Schools Budgets, and will form a pre-determined committed sum. Early Years Block Funding will be used to fund the STLS for early years providers.
- 5.11 In 2024-25, the budget for central services to Early Years providers was £7m, and the future funding of the early years element of this service will be funded from a combination of recent savings in other early years services and the expected increase in funding for 2025-26. By maximising the use of other funding sources will also support savings on the High Needs Block.

6 Legal implications

- 6.1 The Children and Families Act 2014 and the SEND Code of Practice 2015 describe the role that early years, schools and colleges play in meeting the needs of all children and young people, including those with SEND, whether they have an EHCP or not.
- 6.2 The SEND Code of Practice (Section 6.44) outlines the 'graduated approach' that all schools/settings should apply when considering how they will meet those needs. This also relates to the SEND Code of Practice Section 6.58 to

6.62 which outlines the use of specialists to advise settings and schools on early identification of SEN and effective support and interventions.

6.3 Advice will be sought from Legal Services and Commercial and Procurement team, as required, during the implementation phase of the decision in relation to future commissioning arrangements.

7 Equalities implications

7.1 The Equalities Impact Assessment undertaken previously was reviewed and updated to reflect feedback from the consultation.

7.2 Key equalities implications identified from the public consultation are:

- Age: respondents identified a detrimental impact on younger children, specifically those in early years settings, if the service were to end. This would also be the case if the funding approach changed in a way that meant early years settings could no longer access the service.
- Age: the impact on younger children, specifically those in early years settings, was also referenced in relation to transition into school age settings.
- Gender: a detrimental impact on women was referenced, if the service was to end. Women make up the majority of the STLS, SENCO and teaching workforce.
- Disability: respondents identified potentially detrimental impact on children and young people with SEND if the support provided by the service were to end. Some respondents identified a potential impact specifically on children with Communication and Interaction, Social Emotional and Mental Health, and Cognition and Learning needs. This is because children with sensory and physical disability needs will continue to be supported by in-house STLS which fulfils a statutory duty.

7.3 The following mitigating actions were identified in relation to the above:

- Age: consideration will be given to how support for early years can be funded in the future to ensure that the youngest children are not disadvantaged. Information gathered through the implementation of the revised model of support to early years settings will be used to inform this.
- Age: consideration to be given to early years STLS working with Year R in mainstream schools to support improved transition.
- Gender: this risk will be mitigated through the continuation of the service.
- Disability: this risk will be mitigated through the continuation of the service.

8 Data Protection Implications

8.1 Data protection implications will be considered as part of the implementation of the revised model, specifically in relation to data sharing between the existing and future provider.

9 Other corporate implications

9.1 A decision regarding the future of STLS is closely aligned to decision regarding SEN Funding model as funding for the service will come from money identified

within that model as allocated to Communities of Schools for local decision making.

- 9.2 Funding allocated from that allocation to support STLS will reduce the overall amount of money available for that purpose.

10 Governance

- 10.1 This basis is this consultation has been to understand how STLS fits within the future ways of working, specifically in relation to the revised model of support for early years and the localities model of schools inclusion.
- 10.2 The proposals regarding how the service is funded in the future have been designed based on the SEN Funding proposal and how high needs funding may be allocated to schools differently.
- 10.3 Therefore, to ensure continuity and well informed decision making, and recognising the connection with the SEN Funding model decision 24/00120, the final decision on the future of STLS will not be taken until full consideration has concluded for the SEN funding model.
- 10.4 Accountability for statutory functions in relation to Safety Valve sits with Corporate Director for Children, Young People and Education. Responsibility sits with the Director for Education and Special Education Needs.

11 Conclusions

- 11.1 As part of the ongoing transformation of SEN in Kent, a public consultation has been undertaken to understand how the STLS might fit into new ways of working.
- 11.2 The outcomes of the consultation identified a clear preference for the continuation of the service. Professional and residents respondents agreed that STLS is supporting children and young people to achieve the outcomes that are important to them, has the skills and knowledge to support inclusive practice in mainstream schools, upskill teaching staff, and enable school to school support.
- 11.3 The proposal is for school age STLS to be funding from the High Needs Funding being allocated to Communities of Schools for local decision to fund STLS. Funding for early years STLS will come from the early years grant.
- 11.4 The service delivery model will be revised to align with new ways of working being implemented through Localities Model and revised model of support to early years settings.

Recommendation(s):

The Children's, Young People and Education Cabinet Committee is asked to **CONSIDER** and **ENDORSE**, or **MAKE RECOMMENDATIONS** to the Cabinet Member for Education and Skills in consultation with the Cabinet Member for

Integrated Children's Services on the proposals as set out in the Proposed Record of Decision (PROD).

10. Background Documents

- 10.1 Equality Impact Assessment
- Data Protection Impact Assessment

11. Appendices

- Appendix 1: Consultation Analysis report
- Appendix 2: Options appraisal

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