

KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

DECISION TO BE TAKEN BY:

Rory Love, Cabinet Member for Education and Skills

DECISION NUMBER:

24/00121

For publication

Key decision: YES

Key decision criteria. The decision will:

- a) *result in savings or 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:*
 - *the adoption or significant amendment of major strategies or frameworks;*
 - *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

SEND strategy 2025-2028

Decision:

That the Cabinet Member for Education and Skills agrees to:

- Adopt the SEND Strategy 2025-2028 on behalf of Kent County Council.
- DELEGATE authority to the Corporate Director of Children, Young People and Education in consultation with the Cabinet Member for Education and Skills to refresh and/or make non-substantial revisions to the Strategy as appropriate during the lifetime of the strategy.
- To delegate authority to the Corporate Director of Children, Young People and Education to take relevant actions, including but not limited to finalising the terms of, and entering into required contract or other legal agreements, as necessary to implement the decision.

Reason(s) for decision:

The new Special Educational Needs and Disabilities (SEND) Strategy for Kent, covering the period from 2025 to 2028 has been developed to support the local area in responding to the growing and diverse needs of children and young people with SEND across the county. It outlines a comprehensive framework designed to enhance the provision, inclusivity, and outcomes of SEND services addressing five ambitions

1. Child-Centred Approach
2. Collaborative Service Provision
3. Countywide Inclusion
4. Family Engagement and Participation
5. Independence Pathways

Implementation of this strategy will:

- Affirm the commitment of Kent County Council to improving outcomes for children and young people with SEND.
- Ensure work in Kent aligns with national legislative frameworks and addresses local needs assessments.
- Support the provision of a clear and actionable roadmap for the development and implementation of SEND services over the next three years.
- Facilitate the allocation of necessary resources and support for the effective execution of the strategy.
- Enable ongoing monitoring and evaluation to ensure continuous improvement and accountability in delivering SEND services.

The shared vision that we work together to "Support children and young people to achieve; through living healthy, safe lives in which they feel seen and included." was informed by consultation with children and young people and has been agreed by all the key stakeholders. This vision has informed the SEND strategy, the draft Education Strategy and the draft Accessibility Strategy and supporting guidance, which were all drafted and consulted on at a similar time. This co-ordinated approach to strategy and policy development ensures alignment and better supports the achievement of the overall vision for all children and young people.

Key elements guiding the strategy's development include:

- Legislative Frameworks: Alignment with the SEND Code of Practice (0-25 years) 2015, Children and Families Act 2014, Equality Act 2010, and other relevant laws and regulations.
- Stakeholder Engagement: Regular feedback sessions and focus groups with parents, carers, children, young people, and professionals to gather insights and ensure the strategy reflects their needs and aspirations.
- Evidence-Based Approaches: Analysis of current data, best practices, and innovative approaches to SEND service delivery.

The new SEND Strategy incorporates the Children and Young People's Outcomes Framework, which was developed with the input of young people to include the additional dimension of 'My Independence'.

Financial Implications

The Local Authority funds services to support special educational needs through a combination of both General Fund and a ring-fenced grant from the Department of Education (known as the High Needs Block (HNB) of Dedicated Schools Grant (DSG)). The HNB is expected to contribute towards the cost of provision & additional resources for pupils & students with SEN to participate in education & learning; whilst the General Fund is expected to cover the cost of delivering the local authority's statutory duties in relation to assessment, annual reviews and strategic planning of SEN, along with home to school/post 16 transport policies. Spend is reported against the following key service lines within the [Cabinet Financial Monitoring Report](#), along with further detail on spend funded from the HNB in section 3g:

- Special Educational Needs & Psychology Services, total net forecast £17.7m
- Home to School & College Transport, SEN total net forecast £75m
- Schools Budget: High Needs Block (DSG), total net forecast £391m
- In addition to the High Needs Capital Budget estimated to be £72m (covering commitments between 24-25 to 26-27)

Spend on SEN services has been increasing in recent years, due to a combination of rising demand

and cost. This has been reflected in £11m increase in the General Fund budget requirement for SEN assessments & planning services and £44m increase in budget for SEN related Home to School transport costs, over the past 5 years. At the same time, the costs of education services funded from the HNB has grown faster than increases in the grant resulting in a current overspend approximately 13% (+£53m). The increasing overspend on the HNB resulted in the Council entering the Safety Valve agreement at the beginning of 2023, whereby the Department of Education will give £140m towards the forecast accumulated deficit of £222m by March 2028, in return for the Council working towards eliminating the in-year overspend and operating within the grant provided. The Council also committed £82m of Council tax monies to help pay off the remaining residual accumulated deficit. The additional contributions from the DfE and the Council have avoided the requirement for significant cuts to the SEN services. The strategy sets the overarching approach to improving the SEND system and how impact will be monitored and evaluated. These approaches align to actions set out in the safety valve [agreement](#). It supports the work of KCC to develop a financially sustainable SEND system and fulfil the statutory duty to deliver within budget (as summarised in section 5). The strategy is expected to ensure robust and targeted resource allocation for successful implementation.

Following recent investments in the SEN assessment service, re-prioritisation of existing resources, initially used to support the clearance of backlog in assessments and annual review, will be redirected to support the continual and future delivery of staffing resources, joint commissioning, participation opportunities for children, parents & other professionals, monitoring & guidance/personalised plan materials set out in the strategy. No additional funding requirement is expected from the General Fund at this time. Actions to support the delivery of inclusive education and preparation for adulthood will be expected to be funded through the prioritisation of HNB within the resources available from Department of Education.

Legal Implications:

The strategy aligns with key legislation, including the Children and Families Act 2014, SEND Code of Practice 2015, and Equality Act 2010, ensuring compliance with statutory duties.

Equalities implications

While this strategy sets the high-level vision and approach, equality impacts for specific initiatives will be addressed within the relevant project-level Equality Impact Assessments. This ensures that equality considerations are effectively integrated throughout implementation.

Cabinet Committee recommendations and other consultation:

Any alternatives considered and rejected:

Options considered include:

Option 1: Extending the current SEND strategy

Description: Continue with the current SEND strategy without significant changes.

Risks: The current strategy had significant shortcomings identified by Ofsted and CQC and does not reflect the current work of the SEND services. This option risks perpetuating existing challenges, such as insufficient progress in key areas, lack of coordinated services, and inadequate support for families and children with SEND. It may also fail to meet the expectations set by previous inspections and stakeholder feedback. It was therefore discarded.

Option 2: Incremental Improvements

Description: Implement gradual changes and improvements to the existing SEND strategy.
Risks: While this option could address some issues, the pace of change may be too slow to achieve the desired outcomes. Incremental improvements may not be sufficient to address the systemic issues identified in inspections and feedback from stakeholders. It was therefore discarded.

Risk Management

Implementing the SEND Strategy requires significant resources to be allocated differently, along with coordination and continuous monitoring. There is a risk of resistance to change from some stakeholders and potential challenges in aligning various agencies and services. However, implementing a new SEND Strategy offers the best opportunity to achieve meaningful and sustainable improvements in SEND provision.

To mitigate the risks associated with its implementation, the following measures will be applied:

- Stakeholder Engagement: Maintain ongoing communication and collaboration with all stakeholders to foster buy-in and address concerns promptly.
- Monitoring and Evaluation: Establish robust mechanisms for monitoring progress and evaluating the impact of the strategy, allowing for adjustments as needed.
- Capacity Building: Provide training and support to educators, healthcare providers, and other professionals involved in SEND services to build capacity and enhance service delivery.
- Governance: To use the agreed new governance structure, building on the work of the previous SEND Improvement and Assurance Board, to oversee the strategy's implementation and ensure accountability.

The SEND Strategy 2025-2028 represents a comprehensive and ambitious plan to improve the provision and outcomes of SEND services in Kent. By adopting this strategy, the Council will demonstrate its commitment to creating an inclusive, supportive, and high-quality SEND framework that meets the needs of children, young people, and their families. Approval of this strategy will pave the way for meaningful and sustainable improvements, ensuring that every child and young person with SEND in Kent can achieve their full potential.

Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:

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signed

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date