

## Call-in of Decision 24-00097

Submitted by Mrs Trudy Dean and Sir Paul Carter

The reason for the call in is that the Cabinet Member has not provided sufficient information and explanation to demonstrate how he has and will take the recommendations of the SEND Scrutiny Committee into account, and is seeking to make his decision in advance of responding to the Scrutiny Committee on Jan 29, and CYPE of Jan 16<sup>th</sup>, as required by the constitution.

### RECORD OF DECISION

The Constitution states that

The constitution further states that *12.40 The Record of Decision shall contain as a minimum*

*e) Any expected legal, financial, equality , property and Human Resource implications.*

*f) Any Comments received when the matter was considered at a Committee meeting.*

*Explanation of the options considered and giving reasons for decision.*

This should have covered the SEND Committee recommendations, the comments of the CYPE Committee on 21 November and the Scrutiny Committee at its meeting on December 4<sup>th</sup> upon receipt of those recommendations. They do not appear to be included within the published notice.

### CYPE CABINET COMMITTEE

12.35 All decisions appearing on the FED that are to be taken by an Executive Member of the Cabinet should be considered by the relevant Cabinet Committee prior to the decision being taken unless the Cabinet Committee has previously agreed that the decision does not need to be covered.

At the CYPE meeting 21<sup>st</sup> November in response to questions from a number of members the Cabinet member committed to not making the decisions without first taking into consideration the recommendations of the SEND Committee.

The Agenda for CYPE 16<sup>th</sup> January includes 3 items on SEND, ( 11, 12 and 13 ) aspects of the SEND Transformation Project. All are marked ' to follow" and to date those papers have not been received. The agenda titles do not specifically refer to Special Schools Review.

### SCRUTINY COMMITTEE

The Scrutiny Committee on 4<sup>th</sup> December received the recommendations of the SEND Scrutiny Committee on SEND Transformation.

The papers for the Scrutiny Committee state that " In accordance with the KCC Constitution, the Executive must report back to explain how it will respond to the recommendations"

The resolution of the Scrutiny Committee was

" The Scrutiny Committee require that a response from the Executive to the recommendations contained within the report ( of the SEND Committee ) be provided for discussion at the Scrutiny Committee on 29<sup>th</sup> January. "

To date, no information has been received from the Cabinet Member to explain in what way he has responded to these recommendations.

In particular members requested evidence of the following:

- Business case reflecting the costs and implantation timetable
- A review into the causes of high EHCP numbers in Kent
- Clear and transparent designation for placements
- genuine Co-production in relation to plans and proposals
- Greater partnership with NHS
- Review long term funding plans to provide assurance on building capacity and required resourcing to meet demand over a 5 to 10 year period
- A strategic review of the use of independent special schools and plans to reduce reliance on them by 40% to a published timetable
- A substantive Business case on the suitability, effectiveness and funding of SRPs within the Kent.