
From: Beverly Fordham, Cabinet Member for Education and Skills

Christine McInnes, Interim Corporate Director Children, Young People and Education

To: Children's, Young People and Education Cabinet Committee – 18 November 2025

Subject: Specialist Resourced Provision Review and future commissioning intentions

Decision no: 25/00085

Key Decision : The proposals affect more than 2 Electoral Divisions

Classification: *Unrestricted*

Past Pathway of report: Children's, Young People & Education Cabinet Committee
16 May 2024

Future Pathway of report: Cabinet Member decision

Electoral Division: All

Is the decision eligible for call-in? Yes

Summary:

The aim of this report is to:

- Outline the process to be adopted to commission additional places in Specialist Resource Provisions (SRPs) and to change the designations of some existing SRPs in line with the commissioning proposals set out in the Commissioning Plan for Education Provision in Kent 2026-30.
- Outline the case for a proposed change in how we support children and young people who have an EHC plan with vision impairment (VI) identified as their primary need, moving to a more responsive countywide approach of peripatetic specialist support in local mainstream schools.
- Confirm, as policy, the current position with regard to SRPs for Social, Emotional and Mental Health (SEMH), and SRP provision for Post 16 students.

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 on the proposed decision as detailed in the Proposed Record of Decision (PRoD) attached at appendix four.

1. Introduction

- 1.1 The Department for Education (DfE) expects Local Authorities (LA) to manage their specialist estates efficiently to avoid detriment to schools' education offers, creating disadvantage to children and young people who have special educational needs (SEND), or the LA's financial position. This means ensuring the sustainability of maintained specialist school places that are appropriately matched to need-type, phases of education and geographical locations.
- 1.2 The DfE's definition of a Specialist Resource Provision (SRP) is: *"resourced provision are places that are reserved at a mainstream school for pupils with a specific type of SEN, taught for at least half of their time within mainstream classes, but requiring a base and some specialist facilities around the school"*.
- 1.3 Although many of the SRPS in Kent schools are provided with accommodation specific to the SRP and its designation, some operate utilising the school's own inclusion and SEND bases with the children spending the greater percentage of their time within mainstream classes. Schools with SRPs also often utilise the space and the qualified specialist teacher and staff expertise to undertake in-reach for children in their school who require additional support. SRPS will, as time progresses, form part of the provision and support within their community of schools.
- 1.4 KCC's continuum of education provision includes mainstream schools and academies, mainstream schools and academies with SRPs, special schools and alternative provisions. KCC also commissions places in independent and non-maintained schools. The map at appendix 1 shows location of current SRPs.
- 1.5 The proposals contained in this paper sit within the broader context of KCC's transformation of the SEND system, working to ensure equitable provision for all children and young people throughout the County and improve outcomes for Kent's most vulnerable children. The wider programme includes:
 - a new model of support for children in the early years sector, with a greater focus on early intervention and co-ordinated support,
 - the introduction and establishment of a school-to-school model of support (communities of schools) aligned with Health Primary Care Networks (PCNs),
 - a review of the current contracts and service level agreements for SRPs (to be implemented from September 2026),
 - the introduction of a SEND Continuum of Need and Provision, designed to be a guide for schools to aid decision making around appropriate support for children and young people with additional needs, and
 - work on a new funding model to support children and young people with SEND in accessing the curriculum, whether they are being educated in a mainstream school, mainstream with SRP, or in a maintained special school.

- 1.6 The proposals are encompassed within the SEND Sufficiency Plan section of the Kent Commissioning Plan in order to ensure alignment with the capital budget planning and reporting processes.
- 1.7 KCC's SEND Strategy 2025-2028 is built on the principles of inclusion, partnership and participation. Every child has the right to access opportunities without discrimination. They deserve the right support in their local communities, surrounded by friends and family. Where appropriate, they should be able to attend their local schools and receive the appropriate support to access meaningful learning experiences. They also have the right to specialised and tailored support from professionals, helping them to achieve to their full potential.
- 1.8 The existing quantum and pattern of SRP provision across Kent has been reviewed. This has identified a number of issues that need to be addressed:
- Access to SRPs is not equitable across districts. Children and young people in a number of districts are travelling considerable distances to access appropriate educational provision. These geographical gaps need to be addressed.
 - There are pathway gaps, for example, we have children attending primary schools with SRPs who have no secondary school with an SRP they can transition to. This can lead to children moving into special schools, or independent provision when they would have been able to thrive in a local mainstream secondary school, if it was able to provide the additional support that comes through an SRP.
 - There are need-type gaps, where current SRPs are for very specific SEND need types (e.g. ASD) and children fall outside of these strict definitions. There is frequently an overlap between Autistic Spectrum Disorder (ASD), Speech Language and Communication needs (SLCN) and Social, Emotional and Mental Health (SEMH). The current strict definitions can mean that some children either have to travel considerable distances to access an appropriate SRP, or attend an Independent or non-maintained special school when they should be able to attend local schools alongside their peers. DfE recognised SEND need type definitions are attached at Appendix 2 and current travel patterns for children and young people by district are attached at Appendix 3.
 - Demand gaps. In some districts and for some need types e.g. ASD, we have insufficient SRP places to meet demand, resulting in having to fund higher cost places in the independent and non-maintained sector (INMSS) or being supported in state-funded special schools.
 - There is a considerable gap, in some instances, between the number of SRP places occupied, and the number that KCC submits to the DfE and agrees to fund each year (commissioned number).¹

¹ There are 3 types of numbers relating to SRPS: designated number (the number the SRP was set up to accommodate), commissioned number (the number agreed annually by the LA to be funded

- A small number of SRPs have very low numbers and struggle to be viable and retain the specialist teachers they require, whilst others are considerably over the number of places agreed and that they were set up for.
- We have an anomaly relating to SRPs for Social, Emotional and Mental Health (SEMH).
- The current approach to supporting children and young people with vision impairment in SRPs is not equitable across the County.
- There is a lack of clarity around Post 16 SRP provision. Secondary SRPs were all established for students in Years 7 to 11. No SRPs were established with an expectation of commissioning them to take young people Post 16. We now have a small number of SRPs with Post 16 students where the school requested that the placement and funding continues, or where we as the Local Authority, have placed a young person Post 16.

2. Key Considerations

2.1 Access to local provision:

i.

Demand and Pathway Gaps	Demand Gaps	Pathway Gaps
Sevenoaks Dover Folkestone Swale Thanet Tonbridge & Malling Tunbridge Wells	Dartford Gravesham	Ashford Canterbury Maidstone

2.2 Commissioned numbers vs capacity:

- Whilst planning for additional SRP places to meet geographical, demand and pathways gaps, it is also clear that we have a number of SRPs where we are placing in numbers considerably below the number of places we commission.
- Work is underway to improve the data available to inform improved medium to longer term SEND provision planning, and to provide more accurate short-term planning data based on information held on children and their likely requirements and preferences pre Year R and Year 7 entry. Commissioning numbers over the last few years have been based on historical patterns. With the pupil population changing and the need to include as many children and young people in mainstream education as possible and where appropriate, historical patterns are not a good basis for future commissioning decisions.

based on presumed demand), and numbers on roll (numbers of children on roll – this can be more or less than the designated and/or commissioned number).

- iii. Overall the position as at June 2025 is that there are 177 commissioned SRP places unfilled. We have placed 83 more children in some SRPs than they have been commissioned for.
- iv. There are a number of SRPs that have one or two spare places. This is acceptable given the need for some spare capacity for placements that can take place at any point in the academic year. For Hearing Impairment (HI), although the overall numbers are predicted to remain steady, the fluctuations in ages and stages can mean that HI SRPs can have lower numbers at certain points in time. There are however certain designations of SRP where spare capacity is more likely:
 - 58 spare places across a number of SRPs for SLCN (increased from last year when there were 37 spare places)
 - 24 spare places across the two secondary school SRPs with a designation of SPLD
 - 21 spare places across 8 SRPs for Hearing Impairment

2.3 **Equitable provision for children and young people with an EHCP for Vision Impairment:**

- i. As part of the overall review, a deep dive was undertaken into SRPs for Hearing Impairment (HI), Vision Impairment (VI) and Physical Disability (PD) to consider the viability, geographical accessibility and demand and to make recommendations to ensure that children and young people with lower incidence complex needs, receive the support they require to remain within mainstream primary and secondary schools, where this is appropriate.
- ii. Vision Impairment, as a primary need, is a low incidence need. Less than 1.0% of all Kent EHCPs for school age children and young people have a primary need of VI. In March 2025 there were 67 EHCPs for VI (5 – 16 year-olds) in Kent. Of those 67 children and young people, 34 were attending mainstream schools without an SRP, 20 were in a special school due to the complexity of their needs, and 11 were attending a mainstream school with an SRP. Of those 11 children and young people, only 5 are currently attending a mainstream primary or secondary school with an SRP that is solely for, or includes a designation of VI. The others are attending SRPs that have other designations such as Profound, Severe and Complex needs (PSCN).
- iii. Currently KCC has two SRPs with a designation that is solely for VI. These are at The Charles Dickens School, Broadstairs (Barton Court Academy Trust) and Morehall Primary School, Folkestone (Turner Schools Trust). From September 2025, Morehall will have one VI pupil in its SRP and The Charles Dickens School will have two students.
- iv. There are an additional two SRPs that include VI within their designation. These are Reculver CE Primary School (Diocese of Canterbury Academy Trust) and The Archbishops School, Canterbury (Foundation School). KCC also has one provision that has not been set up as an SRP but is looking to formalise its position as an SRP and redesignate to ensure it is meeting local

needs, this is Bromstone Primary School, Broadstairs (Foundation School). Across these school's SRPs in September 2025, Reculver will have one pupil with VI, Bromstone one pupil with VI and The Archbishop's School will have none.

- v. All current SRPs, whether solely for VI or including VI within their designation are in East and South Kent. The low numbers of children and young people in provisions with VI as their designation as well as the location of current provisions only in the east and south of the County means that the viability and accessibility of these SRPs is an issue. The low numbers of children with VI requiring support from an SRP also prohibits expansion of similar provision across the County. As schools have become more inclusive, new accommodation is designed to be more accessible and with improvements in technology, increased numbers of children and young people with vision impairments are choosing to attend their local mainstream schools. These children are supported by the Qualified Teachers for Vision Impairment and other VI specialists from the KCC Specialist Teaching Services for Children and Young People with Sensory Impairment and/or Physical Disabilities: [Sensory Impairment in Mainstream Schools - KELSI](#) and [Physical Disability and Complex Medical Needs - KELSI](#). The Vision Impairment specialists in this team also support schools with SRPs for VI where there has been a gap in recruitment of a qualified teacher for VI.

2.4 Social, Emotional and Mental Health SRPs:

- i. Only five SRPs designated for SEMH needs were established and were all primary SRPs. Four were in new schools: Thistle Hill (Swale) and Finberry (Ashford) with Stour Academy Trust; Holborough Lakes and Leybourne Chase with Valley Invicta Academy Trust, and one in Nonnington CE Primary (an established small VC primary school). Experience has shown that the SRP model of provision is not best suited to supporting children and young people with SEMH, and four of the five provisions have since changed their designation to ASD. No children have been placed in the SRP at Nonnington over the last 6 years due to past challenging circumstances at the school. The provision therefore still exists but is no longer utilised.
- ii. As the SRPs for SEMH did not deliver the expected outcomes in relation to supporting children to continue in mainstream education, a deep dive was undertaken by Kent Analytics in October 2022 into SEMH Provision for Children and Young people in mainstream education in Kent made several recommendations:
 - Improving early identification of need.
 - Improving transition planning and support to children with SEMH, particularly at Year 6 to 7 transition.
 - Extending use of “managed moves” between schools to enable fresh starts for young people, where this is judged as suitable.

- Exploration of different approaches to alternative provision for pupils and students with SEMH that enable appropriate time crucial support at points of crisis and enable re-engagement with mainstream education.
- iii. In addition to support schools and academies, an SEMH toolkit was developed and is available on kelsi: [Social Emotional and Mental Health \(SEMH\) toolkit - KELSI](#) and NurtureUK was commissioned by KCC to run a three year programme of whole school approaches to Nurture for mainstream primary and secondary schools in Kent.

2.5 Post 16:

- i. All secondary age SRPs were consulted on and set up to provide places for young people in Years 7 to 11. There was never the intention to commission them to provide Post 16 places. Only The Malling School is commissioned annually for Post 16 places. Other places are "spot purchased" as required. The majority of secondary age SRPs do not have Post 16 young people. A few will have one or two in exceptional circumstances, and one, The Malling School, takes a higher number. The expectation is that in the majority of cases, the SRP support the young person will have received pre 16, will equip them to manage in sixth form or move into FE or to another Post 16 provider with lower levels of support. The Local Authority is required by law to ensure any young person with an EHCP is able to access support required to meet their needs as set out in their EHC Plan. This does not necessarily mean that this has to be through a place in an SRP. There will always be a small number of young people with low incidence complex SEND who will continue to require high levels of support to continue into Post 16, even when studying at a higher level e.g. complex hearing impairment or physical disability with medical needs.
- ii. As at July 2025 KCC was funding 33 places for Post 16 students in SRPs. 9 students were funded across 7 SRPs, the majority with ASD as their primary need. The remaining 24 were attending the SRP at The Malling School (Foundation). Nine students had a primary need of Speech, Language and Communication (SLCN), 13 were for Autistic Spectrum disorder (ASD), one for Social, Emotional and Mental Health (SEMH) and another for Specific Learning Difficulty (SPLD).
- iii. A recent audit of Post 16 SRP places indicated that the majority of those in SRPs at Post 16 are following A level or Level 3 courses.

2.6 Broadening designations

- i. Extensive work has taken place with the school community on the Continuum of Provision. This describes the degree of adaptation that is required to enable the individual pupil to access the curriculum. It is the degree of adaptation to meet need, rather than the need itself, that will underpin future funding arrangements. The current mechanism of designating SRPs for a specific need type results in C&YP needing to crisscross areas of the county to attend an appropriate SRP. We have 8 schools that have multiple designations, an arrangement that helps keep provision more local.

Warwickshire, for example have “Communication and interaction” SRPs which provide support for C&YP with ASD and/or SLCN. Discussions with existing SRP schools and those seeking to host an SRP has found significant support for SRPs meeting a wider range of need, particularly needs that have at their heart communication – ASD, SLCN, HI. This can also be extended to SEMH needs in certain circumstances.

3. Proposals

3.1 Access to Local Provision:

- i. The Commissioning Plan for Education in Kent 2026-30 (Tables 8c to 8f) set out proposals to address the SRP place gaps and to expand the amount of provision in this part of the continuum. These proposals expand current provision, establish new provision and, in some cases, amend or expand the designations of current SRPs in order that they are better placed to meet local SEND need.
- ii. Subject to the direction of travel being agreed, individual proposals contained in the Commissioning Plan for Education in Kent 2026-30 (Tables 8c to 8f and 8g) will be progressed. Any plans that are not currently reflected in the Commissioning Plan for Education Provision 2026-30 will be reflected in the revised Plan for 2027 to 2031.
- iii. The statutory and democratic process for each proposal would depend on the status of the school relating to each proposal. For example:
 - For proposals to establish or alter SEN provision (e.g. SRP) in any local authority maintained school (to include Community, Voluntary Aided, Voluntary Controlled and Foundation schools), the [“Making significant changes \('prescribed alterations'\) to maintained schools”](#) August 2025 statutory guidance would apply and the decision maker in these cases would be the Local Authority. The decision making process would also address any decisions required around capital funding (if applicable).
 - For proposals to establish or alter SEN provision (e.g. SRP) in an academy, the [“Making significant changes to an academy”](#), August 2025 non-statutory guidance would apply. Under this guidance, some proposals such as expansion to a current SRP in an academy may fall below the threshold for any process e.g. those where proposed expansions are of 20 places or less, or are 20% or less of the overall school capacity (whichever is smaller). For proposals covering the establishment of new SRPs, or expansions above the threshold, full consultation will be required, plus the submission of a Tier 1 screening form to the DfE by the relevant Trust. This can only be made once consultation has taken place and any decisions on required funding have been made.
 - The Corporate Director Children, Young People and Education has existing delegated authority in respect of revenue and capital approvals

up to £1m providing the expenditure is within the approved budget. However in order to expedite delivery to support children and young people, and to avoid any ambiguity, it is proposed to authorise the Corporate Director to (a) to approve, in consultation with the Cabinet Member for Education and Skills, statutory proposals where the Local Authority is the decision maker, and (b) make funding decisions on behalf of the Local Authority, including those involving capital allocations over £1m and in such cases in consultation with the Cabinet Member for Education and Skills.

- This delegated authority to the Corporate Director is strictly limited to the implementation of the proposals set out in Tables 8c to 8f/g of the Commissioning Plan for Education Provision in Kent 2026–30 and must remain within the overall approved allocation of £20 million from the High Needs Capital Grant.
- An Officer Record of Decision will be made in cases where the Local Authority is the decision maker and/or those where capital expenditure exceeds £1m.

3.2 Commissioned Numbers vs Capacity

- i. The annual process of the Local Authority agreeing “commissioned places” (funded places) with Special Schools and SRPs for 2026/2027 and subsequent submission to the DfE in November has taken place and is intended to reflect actual need rather than historic commissioned numbers. This alongside the changes to the SEN “top up” funding will mean that a number of the smaller SRPs will be looking to expand their SEN designations. This will fit with the Local Authority’s desire to educate more children and young people within their own local communities, wherever possible. Proposals to broaden designations of some SRPs are included in the Commissioning Plan for Education in Kent 2026-30 (Table 8g).

3.3 Equitable provision for children and young people with an EHCP for Vision Impairment:

- i. As set out in paragraph 2.3 above, more children with VI needs are successfully accessing education in their local mainstream schools, thereby reducing demand for SRP places for this need type. These children are supported by the Qualified Teachers for Vision Impairment and other VI specialists from the KCC Specialist Teaching Services for Children and Young People with Sensory Impairment and/or Physical Disabilities. It is proposed that all children and young people with VI will be able to attend their local mainstream schools, if appropriate, and will be supported by the KCC Specialist team providing peripatetic services across the County.
- ii. It is proposed that the LA cease commissioning places from VI SRPs to support children and young people with VI needs.

- iii. It should be noted that children and young people currently attending VI SRPs will not be detrimentally impacted. They will remain in the mainstream schools they currently attend and will receive continuing support from specialist teachers and staff.
- iv. Should the recommendation be agreed, there will be implications for the SRPs that are no longer commissioned to provide for VI needs. The Qualified Teachers for VI currently employed in relation to the VI SRPs (all are employed by Academy Trusts) carry additional duties within their schools and will not be detrimentally impacted by these proposals. The appropriate academy trust will need to determine how it wishes to proceed, for example seeking a change of designation for the SRP, or seeking to have it removed. Appropriate processes will need to be followed as identified above.
- v. Consultation will take place with families and pupils affected and with staff should these proposals go forward.

3.4 Social, Emotional and Mental Health SRPs:

- i. The proposal is to confirm the current position as the Authority's policy position, that it does not commission support for pupils with SEMH needs via SRPs.
- ii. The implication of this proposal, if agreed would be that the SRP at Nonnington Primary school, that has not be utilised for more than six years, needs to be formally decommissioned via the appropriate process.
- iii. Future provision for children and young people with SEMH needs to be informed by the outcomes from current pilot approaches and further work with Kents' maintained special schools for SEMH and their local mainstream schools.

3.5 Post 16:

- i. It is proposed that KCC adheres to its original position of only commissioning Secondary SRP places for young people in Years 7 to 11. Exceptional cases will be considered on a case by case basis.

3.6 Broadening designations

- i. It is proposed, therefore, that a number of existing SRPs and new SRPs broaden their provision, with their designations extended accordingly to provide ASD, SLCN and HI (where appropriate as HI requires a qualified teacher of the deaf). It is recommended that an evolutionary approach is taken with schools, such that those that support a broadening of their SRPs' designations undergo the necessary statutory processes to achieve this in the first instance. If and when other schools wish to change, the appropriate changes will be undertaken.

4. Options considered and dismissed, and associated risk.

- 4.1 The decision was taken to review SRPs under the wider SEND Transformation Programme. Kent's high Dedicated Schools Grant deficit, its commitment made to the DfE under Kent's Safety Valve agreement and its Accelerated Progress Plan all meant the option of 'do nothing' and not carrying out the review was not a viable option.
- 4.2 The option of not delivering additional SRP places is not viable. The outcomes of the SRP panel demonstrates that children who require the level of adaptation of the curriculum to need specialist provision is such that without additional maintained SRP places, the Authority will continue to be dependent upon high-cost placements in the independent special school sector. The SEND Sufficiency Plan sets out the evidence base for the requirement for additional provision.
- 4.3 The option of continuing with the current approach to VI SRPs would not address the issues of lack of equity in provision, or viability of the current provisions.

5. Financial Implications

Capital

- 5.1 Capital costs related to proposals to commission new SRPs and/or expand current SRPs to meet provision pathway and geographical gaps and meet growth in demand will be funded through KCC's High Needs Capital Grant allocations provided by the Department of Education (DfE). This capital grant is provided on an annual basis to support high needs provision for children and young people with special educational needs and disabilities or requiring alternative provision. The grant can be used to either create new school places, improve existing facilities or/and support mainstream inclusion.
- 5.2 The annual grant allocations are combined, along with other specific funding sources, to fund the programme of works to support the development of High Needs Provision across Kent. The programme has been running since 2020-21 with a total combined annual budget of just under £109m of which, £67m has been either spent or committed to current known schemes (as at Quarter 1 2025 capital monitoring reported to Cabinet in September 2025). The balance of £41.5m is intended to support new projects, such as the sufficiency of SRPs and special school places and SEND support in mainstream schools.
- 5.3 The estimated cost of delivering the accommodation required to deliver the additional SRP places set out in the Commissioning Plan for Education in Kent 2026-30 (Tables 8c to 8f) is £20m.
- 5.4 These costs sit alongside those for capital investment in special schools and initiatives to make environmental changes to mainstream schools to support inclusion.
- 5.5 Projects will be prioritised to ensure costs remain within the overall budget allocated.

Revenue:

- 5.6 The Council commissions schools to provide the support and provision provided in an SRP on a day-to-day basis, normally by paying a pre-agreed rate per place. The Council funds the revenue costs of SRP places from the High Needs Block of the Dedicated Schools Grant, a specific ring-fenced revenue grant from the DfE.
- 5.7 The rate paid per place by the Council is currently under review and is subject to the implementation of a new funding model that is expected from September 2026. In addition, a revised contract/service level agreement is also expected to be introduced with school/Trusts running SRPs at the same time. The revenue cost and associated savings to address demand and pathway gaps as outlined in Section 2.1, 2.2, 3.1 and 3.2 will be set out in the Kent Commissioning Plan. However, this policy is designed to reduce the number of unfilled commissioned places and improve value for money. The revenue cost of funding unfilled places as set out in Section 2.2 iii is between £1,062,000 and £1,770,000 per year. Reducing the number of ongoing unfilled places would be a direct saving to the Grant.
- 5.8 The implementation of the changes to VI designations outlined in Section 2.3 and 3.3 is expected to have a small financial benefit to the local authority. With the average cost of support funded by the Local Authority reducing from around £21,000 to around £15,000 per annum.
- 5.9 The proposals to adhere to the current policy regarding SEMH and Post 16 (as outlined in sections 2.4, 2.5, 3.4 and 3.5) are expected to be cost neutral.
- 5.10 The Council is currently overspending on its High Needs Block by approximately £55m-£60m per year of which the use of more specialist provision such as state-funded or independent special schools, rather than supporting children to remain more locally in their mainstream school, has been highlighted as a key contributing factor to this position. Whilst there is no direct cost of SRPs to the General Fund, the Council is part of the Safety Valve Programme, a DfE initiative to support Local Authorities with the highest deficits, of which the Council has agreed to contribute a total of £82m between 2022-23 and 2027-28 to help reduce the accumulated deficit, alongside an extra £140m from DfE. The DfE funding is contingent on the development of a plan to achieve value for money within the existing SEN regulatory framework and to aim to reach an in-year breakeven position by the end of 2027-28. Reducing the Council's reliance on specialist education placements is a key part of the strategy to achieve this, and the use of SRPs in providing a wider more specialist SEN offer in mainstream, supports this aim. Alongside ensuring the current SRP offer continues to offer Value for Money and meets current demands. In addition, enabling children to be supported more locally will also reduce the cost of school transport, which is a direct cost to the General Fund.
- 5.11 The implementation of this policy is intended to reduce the demand for more specialist provision, by providing more cost effective alternative offers within mainstream, and ultimately reduce the number of children requiring

independent school places. There is a risk this further expansion may not achieve this. The council has already invested heavily in SRPs and has a greater number of places than national and local averages, whilst still seeing greater numbers being supported in more specialist education settings than other parts of the country. Whilst this policy is designed to reduce this risk, and ensure better use of our offer moving forward, this risk still remains and regular review of the effectiveness of the SRPs will be important to address potential limitation of impact in future years.

6. Legal implications

6.1 Under the Children and Families Act 2014 KCC has a duty 'to support the child and his or her parent, or the young person, in order to facilitate the development of the child or young person and to help him or her achieve the best possible educational and other outcomes'. By ensuring we have appropriate provision as locally as possible, we are delivering on our obligation in accordance with this legislation.

6.2 Local Authorities need to deliver their statutory duties and be aware of non-statutory guidance and advice, which relate to children and young people with sensory impairments. These are:

- The Equalities Act which: places duties on local authorities to review support services and in doing so requires Local Authorities to have due regard to the way in which any changes will affect children and young people with a disability (in this case those with a sensory impairment). It specifies the requirement to make well informed, reasonable adjustments for children and young people with a sensory impairment.
- The SEND Code of Practice places requirements on Local Authorities to: provide access to advice from a suitably qualified person as part of the EHCP process and subsequent "assess, plan, do, review" cycles, and make appropriate provision for those with an EHC plan in the 0-25 range.
- The DfE Specification for mandatory qualifications for specialist teachers of deaf/blind children and young people which requires teachers in the Sensory Inclusion Service (or in charge of Units or SRPs) to hold a statutory qualification in Hearing Impairment (HI) or Vision Impairment (VI).
- Sufficiency Duties: KCC is under a statutory duty to contribute towards the spiritual, moral, mental and physical development of the community by securing that efficient primary education and secondary education are available to meet the needs of the population of their area: section 13 of the Education Act 1996 ("the 1996 Act").
- KCC must ensure that its education functions are exercised by the authority with a view to promoting high standards, ensuring fair access to opportunity for education and training, and promoting the fulfilment of learning potential by every person under the age of 20 and those over the age of 20 and for whom an EHC Plan is maintained: section 13A. By section 14, KCC must secure that sufficient schools for providing primary

and secondary education are available for their area, defined as being sufficient in number, character and equipment to provide for all pupils the opportunity of appropriate education.

- Under section 27 of the Children and Families Act 2014 (“the 2014 Act”), KCC is under a duty to keep under review the educational provision, training provision and social care provision made in its area (and outside it) for children and young people who have special educational needs or a disability. KCC must consider the extent to which its provision is sufficient to meet the educational needs, training needs and social care needs of the children and young people concerned.

6.3 All individual proposals to either establish new, expand current or cease current provision will be required to go through the appropriate processes in line with either “Making Significant Changes (prescribed alterations) to Maintained Schools” August 2025 (statutory guidance) or “Making Significant Changes to an Academy” (non-statutory guidance) August 2025). The decision maker varies – the Local Authority in the case of maintained schools, the Secretary of State for Education in respect of academy and free schools. This means that every individual proposal will be required to undertake a public consultation and carry out and publish an Equality Impact Assessment prior to a report being taken through the decision making process relevant to each proposal.

6.4 The public sector equality duty requires KCC, in the exercise of its functions, to have due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other unlawful conduct prohibited by the act;
- advance equality of opportunity between people who share and people who do not share a relevant protected characteristic; and
- foster good relations between people who share and people who do not share a relevant protected characteristic.
- An Equality Impact Assessment has been undertaken and is published alongside this report.

7. Equalities implications

7.1 The review of SRPs was set up as a project under the Council’s wider SEND Transformation Programme. The main recommendations from the review will expand provision to enable more children and young people to attend specialist provision in their locality, reducing travel distances and improving choice.

7.2 For young people with vision impairment who live in East and South Kent and are currently able to attend an SRP specifically for VI, they will still receive the full support required from a fully qualified teacher for vision impairment and receive support from suitably qualified specialist staff e.g. braillists. The proposed approach will ensure that all children and young people wherever they live in Kent have access to the same support as close to where they live as possible.

7.3 The confirmation of KCC’s current commissioning policy with regard to secondary SRPs being for young people in Years 7 to 11 may have the

potential to impact some young people who were previously attending an SRP at Post 16. All young people are entitled to the support set out within their Education, Health and Care Plan. They will be entitled to this support whether they are in an SRP, mainstream without an SRP, in FE College or other placement. The focus should be on ensuring that young people are equipped to become independent and confident adults and are able to access the Post 16 education or training most appropriate for their needs and future success.

- 7.4 Proposals to better support those with SEMH will be brought forward in due course. Further research in to evidence based approaches is needed. Additionally, further conversation is needed with the school community on how children and young people can move up and down the continuum of provision quickly and effectively as their circumstances change.

8. Data Protection Implications

- 8.1 An initial Data Protection Impact Assessment (DPIA) screening has been carried out and submitted which determined, in line with KCC's DPIA policy and the requirements of the UK GDPR, a DPIA is required in relation to the proposals for vision impairment. A full DPIA is published alongside this report.

9. Other corporate implications

- 9.1 Where proposals involve modification of buildings, the Infrastructure Team will be involved as necessary, with feasibility studies and resultant works being undertaken. Most proposals will involve building works being managed directly by the schools concerned.
- 9.2 Implementation of the policy choices, if made, will require public consultation on individual solutions proposed, which will require support from the Authority's Engagement and Consultation Team.
- 9.3 The Corporate Director Children, Young People and Education will need to enter into the relevant contracts with schools and academy trusts. These are standard documents but will require legal support to have sealed as appropriate.

10. Governance

- 10.1 Key decision 23/00128 delegated authority for the Director of Education and SEND to enter into service level agreements (SLA) and contracts with existing SRP holding schools and trusts. This proposed decision will enable the Director to enter in to the same contract/SLA with schools/trusts hosting newly approved SRPs. The SLA and contracts do not refer to a need type or designation, therefore any agreed changes to designation or the number of pupils supported by an SRP will not require a new SLA or contract to be entered in to.
- 10.2 The four Assistant Directors Education will undertake or work with trusts to undertake consultations (statutory and non-statutory) on individual proposals

and to produce the relevant reports/applications to enable the relevant decision maker (Corporate Director Children, Young People and Education and the Secretary of State) to determine proposals. Local Members will be consulted on proposals in their divisions, and consultation documents can be sent to the Members of this Cabinet Committee. Delivery of commissioning intentions will be contained in the 2027-31 iteration of the Commissioning Plan for Education Provision in Kent.

11. Conclusions

- 11.1 Specialist Resource Provisions (SRPs) are a key component of KCC's continuum of specialist education provision. The evidence from the review and associated "deep dives" supports targeted growth of SRPs across Kent in order to ensure children and young people have equitable access to local specialist provision that enables them to succeed in mainstream education.
- 11.2 With a focus on a sustainable financial model that delivers excellent outcomes, the proposed changes to VI provision and confirmation of alternative approaches to supporting children and young people with SEMH in mainstream schools will further ensure that the needs of all learners are met effectively and inclusively.

12. Background Documents

- *Equality Impact Assessment*
- *Data Protection Impact Assessment*
- *Commissioning Plan for Education Provision in Kent 2026-30 (Decision:25/00099)*

13. Appendices

Appendix One: Map of current Specialist Resource Provisions
 Appendix Two: DfE recognised SEND need type definitions
 Appendix Three: Travel patterns for children with EHCPs attending SRPs 2025
 Appendix Four: Proposed Record of Decision (PRoD)

14. Contact details

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