

Full Risk Register

Risk Register - Corporate Risk Register

Current Risk Level Summary

Green	0	Amber	1	Red	1	Total	2
		1	-4 	1	5 	2	1 

Current Risk Level Changes

0	0	0	0	0	1
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	1	0	0
0	0	0	0	0	0

Risk Ref	CRR0068	Risk Title and Event	Assigned To	Last Review date	Next Review		
		Delivery Against Safety Valve Agreement	Christine McInnes	14/01/2026	14/04/2026		
		Inability to manage within budget and reduce accumulated deficit on Dedicated Schools Grant reserve and the statutory override ends. Failure to meet the terms of the Safety Valve agreement.					
Cause	Consequence	Current Risk	Previous Current Risk	Control / Action	Control / Action	Target Date	Target Risk
There has been a significant increase in the number of children receiving Special Educational Needs and Disability support and the Council's Dedicated Schools Grant (DSG) budget is overspending on the High Needs Block. Continued funding of the deficit on the DSG reserve by net surplus balances in other reserves is unsustainable, and a continuance of the situation would negatively impact the financial resilience of the Council. Consequently, meeting the needs of children and young people with SEND within available resources is becoming ever more challenging and the ability to	In the event Kent County Council fails to adequately address the Dedicated Schools Grant deficit, including failing to meet the terms of the Safety Valve agreement, there would be: Major Financial Risk: Inability to manage within budget and reduce accumulated deficit on Dedicated Schools Grant reserve would result in adverse impact on the financial resilience of Kent County Council. Major Service Provision Risk: Children with SEND do not meet sufficient progress within the available financial resource. Adverse impact on outcomes for vulnerable children and young people. Significant Reputation Risk: Dissatisfaction from families and other stakeholders.	High 25 Major (5) Very Likely (5)	20  5	<ul style="list-style-type: none"> SEND Transformation Programme which comprises a suite of projects across two key areas of work: Safety Valve oversight, monitoring & reporting and SEND Delivery. Progress of materially impactful projects is tracked and reported: Monthly highlight reporting to SRPB Monthly overview to SEND Transformation Strategic Board, including substantive project reporting on rotation Quarterly reporting to DfE 	A -Accepted	31/03/2028	Medium 12 Serious (4) Possible (3)

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<p>forecast costs in future years is difficult.</p> <p>Funding has not kept pace with the rise in demand and three quarters of local authorities have deficits in their DSG grant budget as a result of High Needs cost pressures.</p> <p>The long term outcomes for young adults with SEND and having had an EHCP remain negatively unremarkable when benchmarked against the costs of maintaining those EHCPs. 55% of all ECHPs ceased for 20-25 year olds were stepped down due to the young adult not wishing to continue with education or training AND not being in work, Higher Education training or apprenticeship.</p> <p>To address the situation, Kent County Council entered the DfE Safety Valve programme March 2023 covering the financial years 2022-2023 to 2027-2028. The Council will need to bring High Needs spending back into balance over the medium term and contribute to repaying the historic deficit.</p>			<ul style="list-style-type: none"> • KCC has entered into a “Safety Valve” agreement with the Department for Education (DfE), enabling Kent County Council (KCC) to receive funding over a 5-year period to substantially fund the accumulated deficit on the Dedicated Schools Grant (DSG) High Needs Block (HNB). The agreement requires commitment to areas of review and improvement identified by Department for Education (DfE) to bring in year spend in line with the in-year budget by 2027/28. A financial contribution from the Council is also expected. • Continual lobbying of Government on two matters; increased funding in both the short and medium term, and structural changes to government policy to help reduce the demand i.e. via County Council Network, Association of Directors of Children’s Services. Includes provision of evidence of the impact of the High Needs pressures on the quality of education children receive, schools, other providers and the Local Authority. 	<p>Dave Shipton</p> <p>Christine McInnes</p>	<p>Control</p> <p>Control</p>	
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Risk Ref	CRR0067	Risk Title and Event	Assigned To	Last Review da	Next Review				
		SEND Delivery Improvement	Christine McInnes	14/01/2026	14/04/2026				
<p>Insufficient improvement in areas identified within Ofsted timescales and children with SEND do not meet sufficient progress within the available financial resource.</p> <p>Insufficient resources and focus on the new inspection framework.</p> <p>Failure to maintain effective and continued delivery progress against the APP.</p>									
Cause	Consequence	Current Risk	Previous Current Risk	Control / Action	Control / Action	Target Date	Target Risk		
<p>The Kent local area inspection by Ofsted and the CQC for children with SEND took place in January 2019. This inspection found nine significant areas of weakness across the local area which resulted in a Written Statement of Action being issued. In September 2022, the Local Area was revisited by Inspectors from both Ofsted and the CQC, who found that the area had not made sufficient progress in addressing the weaknesses as set out in their letter dated 9 November 2022. An Improvement Notice was subsequently issued 31 March 2023. Concurrent to this event KCC was also in discussion with the DfE regarding participating in a financial recovery programme, known as Safety Valve, as a potential approach to addressing the growing actual and projected overspend in the High Needs</p>	<p>In the event the Kent local area fails to continue to adequately mitigate weaknesses identified in its special educational needs and disability (SEND) provision there would be:</p> <p>Serious Service Risk: Adverse impact on outcomes for vulnerable children and young people.</p> <p>Serious Compliance Risk: Should the Secretary of State not be satisfied with the Council's progress at any stage, they may choose to invoke statutory powers of intervention (s497A Education Act 1996) to direct the Council to take any further actions deemed necessary to secure the improvements required in SEND services.</p> <p>Potential for legal action if statutory time limits or processes are not met.</p> <p>Significant Reputation Risk: Dissatisfaction from families and potential for adverse press at a national and local level for a prolonged period.</p>	Medium	12	<ul style="list-style-type: none"> • Delivery of SEND Improvement Programme, which includes delivery of requirements detailed in the Kent Accelerated Progress Plan. • The Council has been working to a Department for Education (DfE) and NHS England (NHSE) approved Improvement Plan (Accelerated Progress Plan) to deliver appropriate and sustainable improvement, covering the areas identified in the Ofsted and CQC revisit report of 9 November 2022, as well as recommendations made by the Department. • Continual lobbying of Government on two matters; increased funding in both the short and medium term, and structural changes to government policy to help reduce the demand i.e. via County Council Network, Association of Directors of Children's Services. Includes provision of evidence of the impact of the High Needs pressures on the quality of education children receive, schools, other providers and the Local Authority. • Local area SEND Strategy developed in collaboration with partners, which goes beyond the Written Statement of Action to enable sustained improvement and transform Kent's SEND offer. 	A -Accepted	27/01/2026	Medium		
		8	↓		-4	Christine McInnes	Control		8
		Serious (4)	Unlikely (2)						Serious (4)

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<p>Funding Block.</p> <p>To address the identified weaknesses an Improvement Plan (Accelerated Progress Plan - APP) was formalised by the Local Area September 2023 against which Outcome and Impact based KPIs are being scrutinised and addressed.</p> <p>Progress against APP actions has been made and the Improvement Notice was lifted August 2024 on the understanding that the provision of SEND services remains a priority. Progress continues on outstanding APP actions which are subject to regular review and DfE oversight.</p> <p>The Government have indicated that they are not going to pause or suspend the new inspection framework for SEND. This risk for Kent is that the focus remains on the previous nine areas of weakness which are at odds with the new inspection framework. This could result in insufficient resource being directed to addressing the key issues in the new framework.</p>			<ul style="list-style-type: none"> • Robust programme management in place, ensuring appropriate alignment between project workstreams and overall programme delivery arrangements. Christine McInnes • KCC SEND Transformation Strategic Board in place, with responsibility for coordinating activity and tracking improvement progress, reporting into the Kent SEND Partnership Board. Christine McInnes • Kent and Medway Children and Young People's Programme Board joint governance mechanism with Health partners (sub-group of Integrated Care Board) Christine McInnes • Independently chaired Kent SEND Partnership Board in place, including representation from the Local Authority (including Members and cross directorate colleagues), Health, Learning and Teaching settings, representatives of parents and carers, and where appropriate young people. Christine McInnes 	Control		
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