

1. Summary

This report sets out and evaluates the responses received from the consultation on the first Kent SEND Sufficiency Plan 2023. It sets the context within which more detailed and future planning can be developed. The analysis in the plan takes account of and builds in the DfE Safety Valve targets. It will be updated annually and sit within the Kent Commissioning Plan, which is a five year rolling program that is updated annually.

In summary, 49 responses were received to the consultation. Mostly mainstream schools were represented 42 (86%). Most (55%) of stakeholders agreed or strongly agreed that the aims of the Sufficiency Plan are clear. The responses covered a wide range of topics that indicated a belief that Kent's population profile is different to its statistical neighbours.

It was noted by respondents that a lot of the information in the plan is high level and there were some requests for further detail and timescales. It was stated in the SEND Sufficiency Plan that it is waiting for the outcomes of several SEND reviews to support the development of further detail, which will feed into the next SEND Sufficiency Plan. Some respondents did not acknowledge the financial realities of the LA within the Safety Valve agreement. Some respondents did not acknowledge the changes for pupil profiles from the EHCP forecast. Many responses answered the questions with generic themes within the concept of SEND and sufficiency planning.

2. Introduction

The stakeholder consultation was undertaken to gain the views of the recommendations of the first KCC SEND Sufficiency Plan. This is the first time that KCC has produced a Sufficiency Plan for Special Education Needs (SEN) Provision. Most local authorities now produce an analysis and plan that sits under their SEND Strategy and feeds into their Education Commissioning Plan and capital strategy for education provision. Kent's Commissioning Plan for Education Provision has included a section on Special Education Needs Provision; however, this has always been a high-level summary based on limited analysis and forecasting.

The County Council has a statutory duty under section 14 of the Education Act 1996, to ensure there is a sufficiency of school places available to meet the needs of all children and young people living within our authority. This includes the need to secure provision for children with special educational needs and disabilities (SEND). In addition, section 315 of the Education Act 1996 requires that arrangements for children with SEND be kept under review. The provision of sufficient school places is a statutory duty and contributes to the Strategic Business Plan Priorities to ensure that "Children and Young People in Kent get the best start in life".

Commissioning recommendations for this first plan are limited by the need for the Special School, Specialist Resource Provision and Early Years reviews to complete. The outcomes and recommendations from these reviews will be key to informing future commissioning decisions. For post-16, actions are underway to meet demand regarding place planning, with engagement from all FE groups as part of multiple projects around access for students to mainstream settings. The phases of implementation of the SEND Sufficiency Plan will be influenced by the medium and longer-term commissioning decisions that result from the data presented.

The local authority (KCC) is responsible for maintaining Education Health and Care Plans (EHCPs) for children and young people between the ages of 0-25 years who have special education needs. As of January 2023, this totalled 18,930. This is an increase of 1,197 EHCPs since January 2022. The national “proportion of pupils with an EHCP increased to 4.3% in 2023” from 4% in 2022. In Kent 5.2% of pupils had an EHCP in 2023 which increased from 5% in 2022.

Consultation process

The consultation took place from Friday 6th October to Tuesday 14 November 2023. The stakeholder groups were identified and targeted at the start of and during the consultation period. The following groups were identified:

- All schools
- FE Colleges
- Specialist Post-16 Institutions (SPIs)
- Kent PACT
- Directorate and Divisional Senior Managers
- Health Contacts
- Cabinet Member for Education and Skills
- CYPE Cabinet Committee
- SIAB and SEND Scrutiny Committee Members

The consultation documents were sent out via email with a link and QR code to access the SEND Sufficiency Plan 2023 and the related survey.

3. Respondents

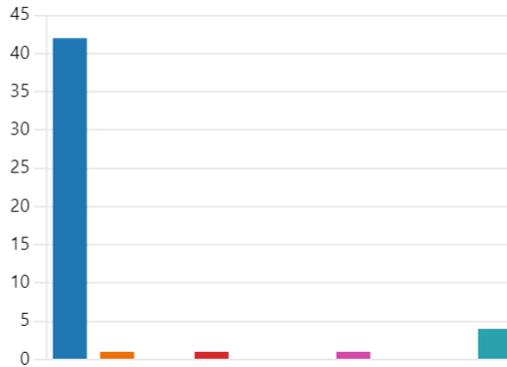
A total of 49 responses were received via MS Forms. No responses were received via post or email. The following table shows the capacity in which the stakeholders were completing the questionnaire.

Kent Sufficiency Plan 2023

Appendix 1: Stakeholder consultation report

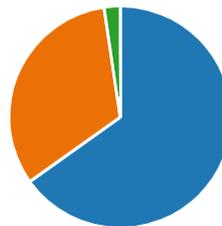


● Mainstream school	42
● Special School	1
● FE College	0
● Specialist Post-16 Institution	1
● Training Provider	0
● Careers Professional	0
● Kent County Council	1
● Nursery/Early Years Providers	0
● Health	0
● Other	4



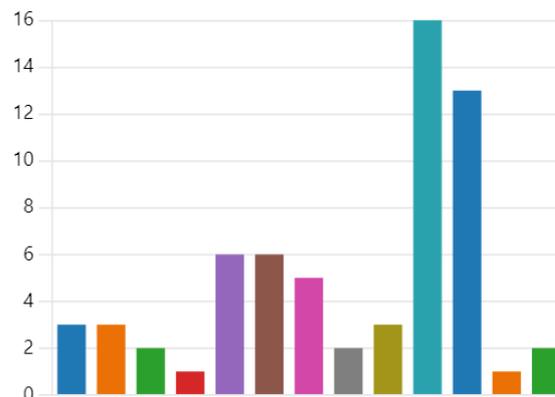
The majority of respondents were from the primary phase.

● Primary	28
● Secondary	14
● All-through	1



All districts of Kent were represented with most responses from the district of Maidstone.

● Dartford	3
● Gravesham	3
● Sevenoaks	2
● Canterbury	1
● Thanet	6
● Swale	6
● Ashford	5
● Dover	2
● Folkestone & Hythe	3
● Maidstone	16
● Tonbridge & Malling	13
● Tunbridge Wells	1
● Countywide	2



4. Consultation responses

The analysis of each survey question can be found below with the question asked.

Question 4: The aims of the Sufficiency Plan are clear

26 (54%) of respondents agreed or strongly agreed that the aims of the Sufficiency Plan are clear. 18 respondents (38%) disagreed.

● Strongly agree	3
● Agree	24
● Neither agree nor disagree	4
● Disagree	18
● Strongly disagree	0



Question 5: Please add your comments on whether you think that the SEND Sufficiency Plan does start to meet those aims.

There were 40 comments, however 15 of these were a copy and paste response.

9 responses requested further detail to answer how schools would manage the challenges: “aims are very wordy, not enough info about how they will be achieved in practice.” 6 responses mentioned funding cuts or increased expenses, for example, “without the funding to ensure mainstream schools are able to support SEND pupils effectively the plan will fail.” 7 responses mentioned EHCPs/children with SEN, “still huge issues with number of EHCPs and specialist placements” and “parents that shout the loudest seem to get independent or special school places.” 2 responses mentioned SRPs, “there is a clear need to ensure the correct children receive education in specialist settings and by reducing the those numbers through SRPs in secondary is a good idea.”

The copy and paste response also requested further detail, “the Aims are much too broad . . . need for much more clarity on what is meant by commission/decommission places. The aims need to be focussed on what is best for our children – not based on funding issues... there is a need to consider Kent’s particular demographic – particularly in relation to providing placements for out of county pupils and refugees/asylum seekers.”

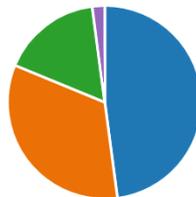
Question 6: The SEND Sufficiency Plan shows how the population of CYP with an EHCP is forecast to change in the future. Will this impact on your own planning for the future?

39 (81%) of stakeholders agreed or strongly agreed that the forecast showing how the changes of the population of CYP with an EHCP will impact on their own planning for the future.

6. The SEND Sufficiency Plan shows how the population of children and young people with an EHCP is forecast to change in the future. Will this impact on your own planning for the future?

[More Details](#)

● Strongly agree	23
● Agree	16
● Neither agree nor disagree	8
● Disagree	0
● Strongly disagree	1



Question 7: Please add your comments on how you think the change in pupil population profile will impact on your own planning for the future.

There were 42 comments, however 15 of these were a copy and paste response.

The information from the EHCP forecast 2023, gave specific detail on how the pupil population profile was forecast to change over time, and noted that there was a bulge in secondary aged pupils that was scheduled to feed through.

The response comments did not specifically address these changes or give detail of the solutions from their provisions. Some were requests for additional funding or specialist provision from the local authority to meet the needs of pupils with more complex needs.

5 responses mentioned CYP with EHCPs/additional needs and that the population change has brought increased pressure, for example, “an increasing number of children post-covid with extremely challenging behaviour” and “we are receiving more and more requests for places with children with an EHCP.” 7 responses mentioned staff training either in what they offered or requests for this, for example, “we invest heavily on effective CPD” and “support and training continues to be needed to meet complex needs”. 6 response mentioned increases for school spending for SEND support, for example, “aware of this, but unless funding changes we cannot meet this need”

Copy and paste summary – “a lot of work needs to be done in secondary schools and also to change the perceptions of parents about availability /appropriate provision. . . predictable needs will need funding to be able to develop the different provisions needed to meet the increasingly complex predicable needs.

Question 8: Kent needs to address the geographical gaps in pathways for CYP who can access their education in a mainstream school with the support of an SRP

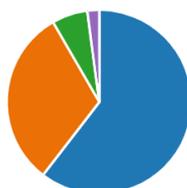
44 (91%) of stakeholders agreed or strongly agreed that Kent needs to address the geographical gaps in pathways for CYP who may need the support of an SRP.

8. Kent needs to address the geographical gaps in pathways for children and young people who can access their education in a mainstream school with the support of an SRP.

[More Details](#)

[Insights](#)

Strongly agree	29
Agree	15
Neither agree nor disagree	3
Disagree	0
Strongly disagree	1



Question 9: Please add any comments you have relating to specific geographical gaps from your perspective.

There were 37 comments, however 15 of these were a copy and paste response.

12 responses did not answer the question naming specific geographical gaps, for example “What do you mean by this? The gaps are clearly linked to poverty so there is need for more provision in these areas” and “there is huge pressure to have children with complex needs in mainstream schools where the HTs are stating this is unsafe and parents who apply for EHCPs (without school backing) are much more likely to get their child into independent special schools – this really needs addressing”

8 responses mentioned a specific district/Kent that had gaps

- Clear gaps in Kent - around Gravesham and coastal areas.
- Number of places in West Kent could be stronger
- There are huge gaps in Thanet for SRPs and the need is increasing!
- Within the border area of Sevenoaks, the provision is very limited
- I have tried to work with Mike Rainer from TEP to look at how we can fill gaps, for instance in Maidstone
- There needs to be more options for SRB in Thanet
- Areas with the highest need (Thanet, Swale, Dover) have the smallest amount of provision for SLCN
- In Maidstone as there is not enough special provision for pupils who need it

Copy and paste response summary; did not answer the question relating to specific geographical gaps but generalised comments relating to transport, “the cost of transportation and the impact on pupil regulation needs to be considered with those extended travel distances. . . The new special school in the North of Kent has been located where there is already a lot of specialist provision in

this area. Concerns about whether provision will need to be reduced in existing areas to redistribute the resources. . .”

Question 10: Addressing the gaps in secondary phase and post-16 SRPs is a priority

31 (65%) of stakeholders agreed or strongly agreed that addressing the gaps in secondary phase and post-16 SRPs is a priority

10. Addressing the gaps in secondary phase and post-16 SRPs is a priority.

[More Details](#)

Strongly agree	20
Agree	11
Neither agree nor disagree	17
Disagree	0
Strongly disagree	0



Question 11: Do you have any comments relating to the Pre-16 and General Recommendations, detailed in section 5?

There were 28 comments, however 15 of these were a copy and paste response. The 10 Pre-16 recommendations were for future commissioning of SEND provision from SRP and Special School Reviews, the requirements of residential provision for CYP with an EHCP, the potential for site expansion of special schools, to develop mainstream accommodation for pupils with an EHCP, review the Accessibility Strategy for Kent, review of Alternative Provision, parental and young person consultation, improve data quality to support SEN planning and investigate options for capturing live roll and placement data for special schools to inform placements. These recommendations covered 20 actions.

Some responses did not comment on the recommendations, for example, “there are still many children both in this sector and the Early Years that don’t have school places” and “I think we should look to stepping down support whenever possible to ensure that we cease plans as YP approach adulthood wherever possible”.

3 responses mentioned future planning, for example, “It will be helpful to have information 3 years in advance to support our planning” and “very interested in how the plan looks to develop mainstream learning environments” and “. . .provisions are clear on effective pathways, but parents find this area trickier to navigate”. Within those responses two mentioned requests for increased funding to deliver this.

4 respondents appeared to mis-read pre-16 as post-16.

Appendix 1: Stakeholder consultation report

Copy and paste summary, “secondary grammar provision is needed for pupils who are academically able but who have complex ASD/anxiety needs. . . as the LA are currently reducing the number of EHCPs linked to academic ability/functioning, therefore how will we get secondary aged students with an EHCP needing a grammar school SRP? . . . there is a need for more clarity about the differences between SRPs and satellite provisions.”

Question 12: Do you have any comments relating to the Post-16 Recommendations to Improve SEND Sufficiency, detailed in section 5?

There were 25 comments, however 15 of these were a copy and paste responses. 6 respondents advised they did not wish to contribute further comments, with a few giving reasoning that they were from the primary sector.

Forward planning was a theme within the respondents’ answers for this question. There was reference to the need to utilise data for the planning of post-16 places. Themes from individual responses include:

- Appropriate distribution of high needs funding throughout sixth forms to meet need.
- Number of specialist places are geographically inconsistent.
- Questions around how the relationship, transition and pathways between specialist and mainstream placements could be strengthened.

Question 13: Do you have any comments relating to Commissioning Recommendations: Planned Additional Specialist Provision Across Kent Special Schools, detailed in section 5?

There were 36 comments, however 15 of these were a copy and paste response. The information in the table covered 8 provisions (new satellite or special school) with the proposed opening date, need type, district and potential number of places of 2024 to 2031.

No responses were specific to the information included in table in section 5.

3 responses mentioned location; “ensure there is more consistent coverage across the county” and “I am confused as to why more of the additional provision is not located in areas of highest need.” And “filling gaps so children can be educated closer to home should be closely mapped to need forecasting by area.”

2 responses commented on the pressure for more provision, for example, “Will the additional specialist provision take into account the 140 ish children with an EHCP who are currently without

a school placement?” and “need to be more specialist schools but these should be specifically for those pupils with a high level of need”.

2 responses mentioned satellites as a solution, to learn from expertise or more financially viable

1 long response (658 words) – “. . . we are aware that the object is that all students can attend a local special school . . . shortfall in provision . . . culture throughout Kent and the UK that if your child has any additional needs, a mainstream school will not be able to provide the right support . . .”

Copy and paste response, “ensuring consistent approaches is essential. There is a huge need for clear thresholds to ensure a fair approach as to which students are placed where.”

Question 14: Do you have any comments relating to Commissioning Recommendations: Planned Additional Specialist Resource Provisions, detailed in section 5?

There were 29 comments, however 15 of these were a copy and paste response. The information in the table covered 6 new SRP provisions with the proposed opening date, need type, district and potential number of places of 2024 to 2031.

1 comment noting a gap, “SLCN is the fastest need type projected and yet no additional SLCN SRP capacity is planned”

4 responses with unrelated themes, for example, “more is required particularly in Thanet. We (Hartsdown) would like to be considered for an SRP” and “There needs to be some joined up thinking with health in terms of diagnosis too.” And “More mainstream schools would be willing to support pupils with EHCP will significant needs if they had the same level of resources or support that specialist resource provisions have.” And “sufficient equality of access for each cluster should be the aim”

1 long response, (451 words), “Whilst I agree that SRPs should be expanded where possible to enable more pupils to access mainstream settings, the sufficiency plan seems to be skipping over some significant barriers to this being a success in primary schools. Lack of diagnosis . . . The increase in EHCPs that are being rejected by Kent, forcing parents or carers to take the LA to tribunal . . . Poorly written EHCPs which increasingly do not accurately reflect the special educational needs of pupils. . . The barriers Kent put in place for schools including going to LIFT and expectations that the plan, do, review cycle has been completed X number of times just serves to lengthen that process and stops a pupil from accessing the right level of support early on in their school journey. As professionals, we should be trusted when making the call that an EHCNA is needed rather than being expected to jump through hoops which are actual local policy and not expected under SEN law.”

Copy and paste response “Ensure this is linked to the geographical map to address scarcity . . . confusion in the data as Whitfield and Aspen is currently functioning as a district special school but is reflected in SRP numbers.”

Question 15: Do you have any comments relating to Further Education Commissioning 2023-24, detailed in section 5?

There were 25 comments, however 15 of these were a copy and paste response. As with previous post-16 aimed questions, some respondents noted they did not wish to contribute to this question.

There were few responses related to this question, with most responses from duplicate submissions. The following views were put forward:

- The need for additional provision in areas of highest need.
- Concerns around the insufficiency of FE course offer and its relation to the needs of EHCP learners.
- The inconsistent but good practice of transition of FE with special schools and SPIs, and the need to review and replicate this across Kent.

In addition to the consultation form, FE sector representatives were consulted during joint KCC/KFE meetings. Feedback from this discussion indicates the following:

- FE settings are seeing an increase in students claiming high needs funding, and a culture of expectation of FE to support EHCP learners.
- There is a lack of clarity around expectation of the numbers of learners expected to be supported in FE moving forward.
- Discussion is needed around how mainstream settings can be improved for the high needs and EHCP cohorts.
- Forecasting of support needs, geography and numbers are a priority.
- Qualification reform is a key challenge facing all sectors currently.
- Concern around a lack of policy, particularly around CEIAG, and a need to continue work around the information provided to young people around options.

Question 16: Do you have any comments relating to the Summary of Commissioning Recommendations for Post-16, detailed in section 5?

There were 25 comments, however 15 of these were a copy and paste response, which make up the majority of detailed responses. There were several responses that noted in-depth logistical challenges not specifically related to post-16 commissioning. Those who completed a response raised the following points regarding the commissioning recommendations:

- The need for closer links between stakeholders to support transition and provision development.
- Ensuring proportional provision.

Question 17: Do you have any additional comments relating to the Next Steps of the SEND Sufficiency Plan, detailed in section 7.

There were 29 comments, however 15 of these were a copy and paste response. The next steps section included consultation and approval so that the SEND Sufficiency Plan could feed into the capital plans. It included 5 actions to be included in the next Sufficiency Plan.

The comments did not specifically respond to the Next Steps and included responses about “crisis in CAMHS”, and “nurture provision. . . not always available in secondary school” and “transition support must be planned”. 3 responses mentioned time scales.

Copy and paste response summary, “Focus on reduction of NEETs as a priority. No information about the plan for removing High Needs Funding. . . not enough detail about the actual actions. . . feels like the reviews are all being undertaken in isolation and that there is no one clear, joined up plan for exactly what the overall strategic plan for SEND in Kent is. . . need to consider the longer term costs and implications in terms of costly specialist CAMHS/social care.. . “

Question 18: Additional Comments.

There were 30 comments, however 15 of these were a copy and paste response.

“a very thorough document which has accurately identified the issues and potential solutions.”

3 responses mentioned funding, for example “there needs to be funding into working to persuade parents of how and why mainstream works” and “Mainstream school are happy to support the high level of needs of pupils with EHCPs but they need the funding support to do this” and “Please consider the impact of the HNF changes on the capacity of small mainstream primary schools to support children with more complex SEN” and “the funding moving from central to the locality have been modelled in other authorities although these are not detailed in the report.”

1 response about the law, “There needs to be a change in the SEN and disability statute law, regulations and guidance alongside the changes LAs are proposing to make. . . “

1 response about STLS, “How will STLS capacity be increased to meet the need in mainstream of larger numbers of pupils requiring significant adaptations. . . “

Copy and paste responses summary, “Need for consistency in approach. . . question the depth of SRP review. . . next steps do not align with the aims. . . no detail about success criteria and how impact will be measured . . .parents are finding the communication and information confusing. . .”

5. Equality analysis

An Equality Impact Assessment (EqIA) has been completed for the Kent SEND Sufficiency Plan 2023. The screening found no evidence that the Sufficiency Plan will impact negatively on pupils from protected groups or lead to them being treated less favourably.

6. Conclusion and next steps

Following consultation and approval, the SEND Sufficiency Plan 2023 will feed into capital plans through KCC’s Commissioning Plan for Education Provision in Kent 2024 – 2028 as all commissioning intentions set out within the Sufficiency Plan are reflected with the current draft Commissioning Plan.

Cabinet Committee consultation is on 25 January 2024. The views of local members on individual educational provision consultations in their divisions will be sought as they come forward. Parental consultation planned for the new year 2024 and will sit alongside the localities work so that it can be set in context.