

From: Rory Love, Cabinet Member for Education and Skills
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To: Scrutiny Committee, 4th December 2024

Subject: SEN Update - Quarterly reporting – 2nd report.

Classification: Unrestricted

Summary: This report provides an overview of progress in SEND since the issuing of the Improvement Notice in March 2023.

Recommendation(s):

The committee is asked to note the report.

1. Background

- 1.1. Following the September 2024 meeting of the Scrutiny Committee, Members have been undertaking an evidence gathering exercise to gain views about and experience of SEN provision and arrangements in Kent.
- 1.2. The previous report included a comprehensive update on the Accelerated Action Plan and notification of the removal of the Improvement Notice. Since September, discussions have taken place with the two government departments involved in monitoring, DfE and NHS England, on the future governance and reporting requirements. Following the lifting of the Improvement Notice, the Departments no longer require monthly reporting and will make an assessment on the progress and impact of the outstanding projects at the next assessment day in January 2025. In view of this the governance and reporting structures for both the Accelerated Action Plan and the Safety Valve have been reviewed. The agreed governance and reporting structures will be shared in a future report.
- 1.3. Nationally, there have been a number of recent announcements by the government regarding SEND, including additional SEND funding though there has been no additional detail about the intended use of that funding to date. In November, Dame Christine Lenehan, formerly of the Council for Disabled

Children, was appointed the government’s strategic advisor for SEND and Tom Rees of Ormiston Academy Trust was engaged to lead a new group of experts to oversee reforms to make mainstream schools more inclusive. Alongside this, the Secretary of State is creating a panel of leading neurodiversity experts to work with the DfE on better developing expertise in mainstream schools.

- 1.4. These developments are very welcome and validate the approaches being taken in Kent to improve the SEND system. This is particularly true of the work with the Autism Education Trust and on neurodiversity across the county, but particularly in Maidstone which is acting as a pathfinder for new ways of working to support earlier identification and intervention through the DfE funded PINS project. More information can be seen here <https://news.kent.gov.uk/articles/pilot-project-aims-to-create-more-inclusive-school-experiences-for-neurodivergent-children>
- 1.5. A new indicator on Annual Reviews has been added to this report and the topics included were requested by members at the September Committee.

In addition to the Introduction and Data Update sections, the sections in this report are as follows:

1. Young People’s Voice – The Kent Approach
2. Engagement with parents and carers including Parents and Carers Together (PACT)
3. Support available pre-EHCP
4. The evidence of SEND inclusion in schools and settings
5. Phase transfer
6. Outcomes for pupils with SEND
7. Appeals & Tribunals

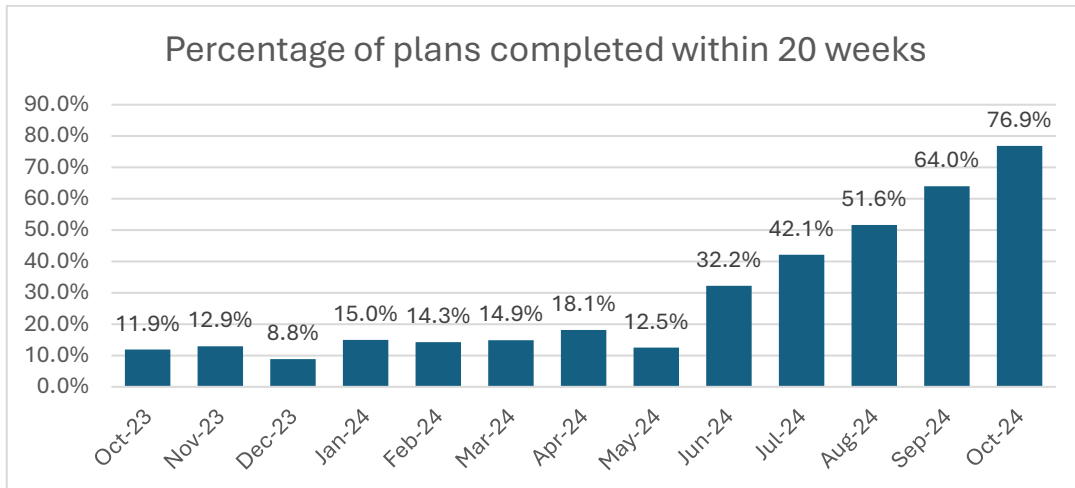
1.6 This report encompasses a comprehensive array of subject matter. Each section has been authored by lead officers who specialise in their respective fields of service ensuring the information is both accurate and insightful.

2. Data Update

2.1. Percentage of Plans Completed within 20 Weeks - The previous report included August data which showed KCC’s completion rate to be 51.6%, marginally higher than the national average of 50.3% (published by DfE in June 2024). 76% of EHCPs were issued within 20 weeks during October 2024. This means 130 of 171 EHCPs issued were in timescale.

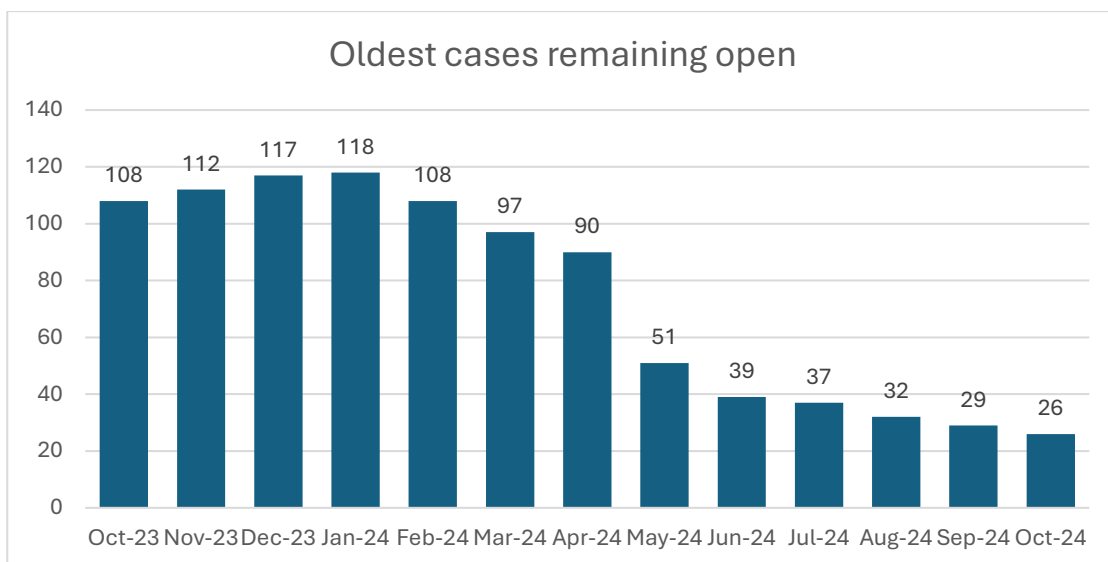
Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24
11.9%	12.9%	8.8%	15.0%	14.3%	14.9%	18.1%	12.5%	32.2%	42.1%	51.6%	64.0%	76%

2.2. As the number of children and young people waiting for a plan continues to decrease (see below), the number of plans issued within the 20-week deadline has continued to rise. We are now confident that issuing of EHCPs within the 20-week deadline will remain around this level, more than 50% above the national average and increased resource is now being directed to maintain the improvements in the quality of the plans.



2.3. Oldest Cases Remaining Open

Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24
108	112	117	118	108	97	90	51	39	37	32	29	26
wks	wks	wks	wks	wks	wks	wks	wks	wks	wks	wks	wks	wks

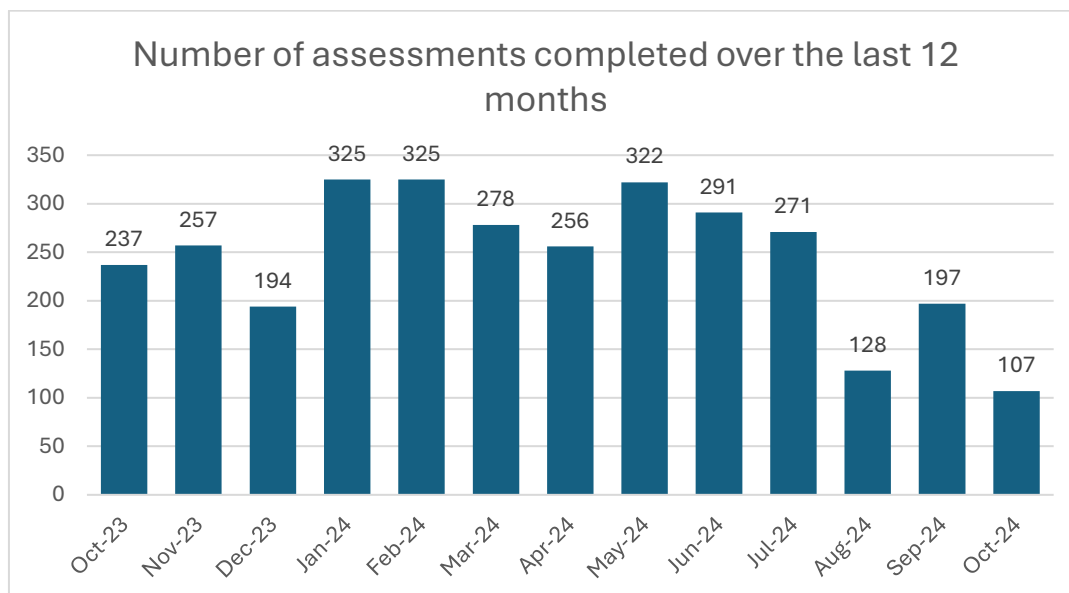


The backlog has almost been cleared and no child or young person is waiting more than 26 weeks to have their EHCP issued.

2.4. Number of Assessments Completed Over the Last 12 Months - The decrease in plans completed is as a consequence of the summer holidays but also

reflects the successful processing of the significant backlog of children and young people waiting to be issued with a plan.

Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24
237	257	194	325	325	278	256	322	291	271	128	197	107



- 2.5. Annual Reviews - Once a child or young person has been issued with an EHCP, a review of the plan should take place annually, or more frequently in the Early Years. A review can also be requested ahead of the annual cycle of review if there is a good reason such as a view there is an urgent need for a change to the child or young person's EHC plan.
- 2.6. The review generally takes place in the education setting or school and is explained in full here <https://www.kent.gov.uk/education-and-children/special-educational-needs/education-health-and-care-plans/annual-review>. For children and young people who are educated other than at school or college or are Electively Home Educated, they will have their annual reviews arranged and chaired by a case officer at the Local Authority. Information and reports will be requested from professionals supporting the child/young person by the case officer.
- 2.7. The review makes recommendations, which the LA has to respond to within four weeks. When reference is made to the LA's backlog of Annual Reviews, it is referring to the LA's duty to respond in writing communicating the LA's decision to:
- Maintain the EHCP as it is or
 - Amend the EHCP or
 - Cease the EHCP

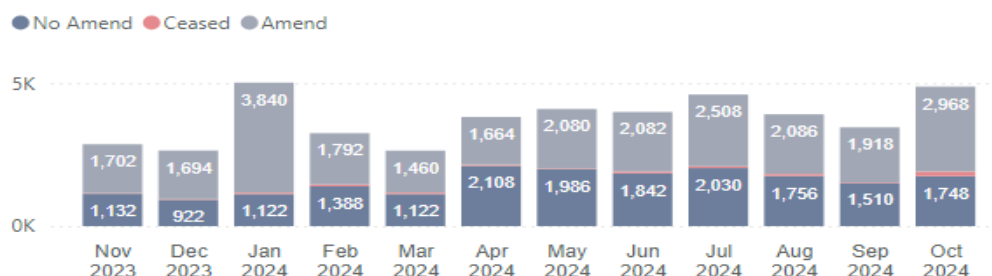
as well as highlighting the right to appeal and to request mediation if parents/carers so not agree with the decision. In October 2024 there were 20,402 children and young people with a live EHCP, each one of whose EHCP is updated annually.

2.8. When the inspection took place in September 2022 there was a significant backlog, and the vast majority of Annual Reviews were not within timescale. Good progress has been made in reducing the backlog and this trajectory of improvement will continue. This table shows the improvement in the percentage of Annual Reviews being completed from 39.8% in October 2023 to 65.8% in October 2024. This means of 20,408 children and young people with an EHCP 13,433 had their Annual Review completed in timescale.

Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24
39.8%	42.6%	45.1%	48.6%	51.1%	51.9%	54.8%	58%	60.2%	62.8%	64.4%	65.3%	65.8%

2.9. This table shows the number of Annual Reviews that have taken place by month and the outcome of the review.

Number of annual review completions made



2.10. A recent enhancement to streamline the system is the digitisation of the paperwork education settings are required to complete when they conduct the Annual Review by the introduction of a drop-down electronic form where options can just be clicked apart from specific boxes that require bespoke text about the individual pupil. Training is being provided to school colleagues that have requested it to ensure consistent implementation in schools.

3. Young People's Voice – The Kent Approach

3.1. Work within Kent County Council - Kent County Council has a legal duty to provide all children and young people in Kent an opportunity to have their say. This includes children in education and those who receive a specific service provided by the Local Authority. The work undertaken to integrate children and young people's voice into service planning is underpinned by the United Nations Convention on the Rights of the Child (UNCRC) 1989, in particular

Article 12 that states: *"Every Child or young person has the right to express his or her views on all matters that affect them, and their views should be given due weight in accordance with their age and maturity"* and The Children's Act 1989.

- 3.2. In Kent, our ambition is that the voice of children and young people influence and inform what we do and how we behave as a Local Authority. Our aim is for Children and young people's views to influence what we do and how we deliver services as a Local Authority in an authentic way and this is supported by guidance on effective listening which is included in the Children's Workforce Practice Framework and training. This means children and young people are able to influence decision making in a meaningful way. Our ongoing developments build upon the existing evidence-based practice and aims to improve the range, consistency and coordination of effective participation across the directorate. There are dedicated staff within KCC whose role it is to deliver these statutory duties.
- 3.3. **Participation Teams** - There are two Participation Teams in KCC - The mainstream Participation Team (i-THRIVE and Participation Team) and the Virtual School Kent Participation Team who have focus on children in care, adopted children and young people, young care leavers and children with a social worker or have previously had a social worker. More information on this below.
- 3.4. The i-Thrive and Participation Team (see below) work in partnership with schools, youth groups, NHS Kent and Medway, Kent Police and individual young people to capture their voices about a variety of different topics. A good example is the now annual Big Mental Health Conversation.
- 3.5. Working under the co-ordination of this team, there are four different countywide groups which young people can join, one of which, 'Have your say', is specifically for young people with SEND. 'iTHRIVE' is for young people who have experience of mental health services. More information is available on the website [Youth Voice opportunities - Kent County Council](#)
- 3.6. **Youth Council** - Kent Youth County Council (KYCC) is an elected group of young people aged 11 to 18 years, representing each of Kent's 12 districts. The Council also has 12 community seats, ensuring KYCC is representative of all communities in Kent. 20% of the young people elected to KYCC in 2024 are young people with SEND. There are three campaign issues annually, chosen by young people during the annual election process. In November 2023, 19,400 young people in Kent voted in the KYCC Elections, voting Mental Health, Public Transport and Free School Meals & Tackling Poverty as the top issues for young people and becoming the youth council's campaign for 2024.
- 3.7. **Have Your Say Forum** - Have your Say Forum has been developed over the last 12 months, providing an opportunity for young people aged 11 to 18 years with SEND to come together, once a month as part of KYCC Meetings. Have

Your Say Forum meets separately in the mornings and then come together with KYCC in the afternoon for joint project work on issues including Tackling Discrimination and Opportunities for Young people. Have Your Say Forum participate in a range of activities, while also developing project work and giving their views related to KCC work. The Have your Say Forum have started to develop projects around on anti-bullying and developing independence & preparing for adulthood.

- 3.8. Have Your Say Activity days take place in half terms and summer holidays, these reach a wider cohort of young people with SEND who come along to take part in a fun activity and engagement workshop, but do not want to commit to a regular forum. 46 young people with SEND have attended activities and given their views across six 'Have Your Say' events since April 2024.
- 3.9. These are examples of policies, strategies and service delivery that young people have contributed to or influenced through the mechanisms described above.
 - The Children and Young People's Outcomes Framework - Young people from KYCC, Have Your Say and other school groups were consulted about the Outcomes Framework. Young People fed back through this work that 'My Independence' was missing and young people felt this was important to include for supporting them into adulthood. This also correlated with the NHS Kent & Medway ICB heard in their listening exercise over summer and autumn 2023, when 400 14 – 18 year olds responded, identifying 'independence and personal choices' as key to supporting their mental health and emotional wellbeing. ([Kent and Medway Children and Young People's Mental Health Have Your Say survey responses analysis](#))



- ICS Vision Statement – young people from KYCC and Have Your Say were engaged in process of developing the vision statement.
- “Supporting children and young people to achieve; through living healthy, safe lives in which they feel seen and included.”
- Localities Model Consultation (now known as the Communities of Schools) – young people with SEND supported to understand the Localities Model and respond to the easy read questionnaire.
- SEND Strategy review – focus groups with young people through Have Your Say, KYCC, SpeakOut and schools to review previous SEND Strategy and gives views for strategy which was consulted on during the autumn 2024.
- Drafting of the Education Strategy – young people KYCC, Have Your Say and wider engagement from school groups were involved in giving their views in the drafting of the Education Strategy and providing quotes for the final consultation document, consulted on during the autumn of 2024.
- Engagement with MRX (Kent County Council's communications, marketing, engagement and customer feedback function) about messaging to young people with SEND and their parents. Engagement took place with OCYPC MAGIC and at a Have Your Say Activity Day.
- Young People from KYCC, Have Your Say have had the opportunity to have their stories heard through video at SIAB.
- Coproduction E-Learning Module – Have Your Say, OCYPC MAGIC and the Sensory Student Council are working to re-develop the coproduction e-learning, which is available on Delta to add a module to focus on engaging young people with SEND and hearing their views.
- Self-Harm Strategy – young people decided what key messages and information needed to be included in the guidance, and since publication have been involved in evaluating and providing further messages they want to be included in the annual update. [Self-harm prevention advice: Kent & Medway ICS](#)
- Kent Young Researchers – 38 young people have been trained by the University of Kent to develop their research skills, including 9 young people with SEND. The young researchers have been supported by University of Kent to develop research questionnaires gaining views on role of social media on emotional wellbeing.

- The Big Mental Health Conversation 2024 provides a case study of how young people were involved in the inception, planning and delivery of an event. The Big Mental Health Conversation, held on Wednesday, 9th October, brought together 200 young people from 24 Kent schools along with 34 service providers that support children and young people with their mental health and emotional wellbeing.
- 3.10. Participants engaged in a variety of workshops, including understanding their brain, healthy relationships, online bullying and sexting, the benefits of physical activity, a wellbeing walk, therapy ponies, managing difficult thoughts and feelings, exam anxiety, and marketplace activities. Officers are currently collating the evidence of how young people have been positively influenced and impacted through attending and interacting with the 34 services that were present as well as engaging in facilitated engagement activities. The final report will be distributed in November.
- 3.11. The event secured participation by groups of students from 24 schools which included 11 mainstream, non-selective schools, 6 selective schools, 1 Pupil Referral Unit, and 6 special schools. The 34 special school students attend the following schools - Valence School, Grange Park School, The Wyvern School, Ifield School, Rowhill School and The Beacon. 1 young person from The Beacon School is also a member of Have Your Say and a Kent Youth Voice Young Leader. The young person supported with other Young Leaders in planning the event and taking to the stage to close the event.
- 3.12. As can be seen above, there is a great deal of activity, and the list above is not exhaustive. Evidence of the impact of the activities is monitored and evaluated and these are some examples –
- The Outcomes Framework now includes ‘My Independence’ creating a focus for work and development with all children and young people, so this aspiration will now be measured alongside the other aspirations. The tool to measure the aspirations for all pupils with an EHCP is currently under development.
 - Autism Education Trust Training includes case studies from Autistic Young People in KYCC and evaluation of the training shows impact. KYCC Disability Awareness group collated the experiences of autistic children and young people in Education ([Autistic Artistic Youth Voice](#)).
 - Young person's feedback sparks change in NELFT (<https://www.nelft.nhs.uk/>) services. A young person from Have Your Say wrote a letter in March 2023

which prompted significant reflection and potential changes within the North-East London Foundation Trust (NELFT). Highlighting systemic issues in CAMHS, the letter brought attention to the neglect of young people with eating disorders and complex needs, and the inefficiencies of early intervention. In response, the new Manager for Patient Experience in Kent and Medway acknowledged the challenges and the need for change. The feedback is driving the development of 'experts by experience' groups, inviting young people to help improve service delivery.

- iTHRIVE Young Persons Group Boosts young person's mental health – As part of the monitoring and evaluation of the participation work, a case study with a young person involved in the iTHRIVE group was developed, and their feedback highlights the significant improvement in their mental health. The young person expressed: "My mental health has got better because I know loads of people,". They also shared how they have personally grown: 'I don't just sit at home, bored on my phone. I am happier because I have lots of new friends. I have taken more responsibility of helping other people and becoming an adult.' Additionally, the young person mentioned utilising supportive services: 'I started using Kooth which has been really good. They let you play games and have helped my mental health.' This case study showcases the transformative impact of the iTHRIVE group on young people's mental and emotional wellbeing. Other iTHRIVE group members have shared similar comments and feedback on how their involvement in the project has benefited them.
 - Peer Mentor Training – 6 young people from Rowhill School have been trained as Peer Mentors by Participation Workers from the i-Thrive & Participation Team. The training was adapted to meet the needs of the young people while supporting the school to implement peer mentoring.
- 3.13. **The Virtual School Kent** has its own dedicated Participation Team which has responsibility for facilitating meaningful participation and enrichment opportunities for children, young people and young adults who currently or who have previously been in receipt of Social Care Services. This includes children in care, adopted children and young people, young care leavers and children with a social worker or have previously had a social worker and a high proportion of these children and young people have special educational needs and or disabilities. The VSK Participation Team work closely with the strengthening Independence Service to support children with more complex needs. To meet the needs of these children, in 2023 the VSK Participation Team set up a new Council group for children with SEND and a bespoke range of enrichment activities to engage both children and their families.

- 3.14. The OCYPC Magic (Making A Great And Important Change) Council is a fun and supportive group where children and young people aged 11 upwards can engage in ways that suit their needs. Its purpose is to give them opportunities to share their views and lived experiences to help improve school, education, and wellbeing of young people with additional needs. There are main meetings and social activities for them to attend in every school holiday. There is also a focus on making this Council group as accessible as possible, as we recognise that not everyone is able or wanting to travel to attend our main meetings in person. To appeal to as wide a range as possible of children and young people, we offer different ways for them to feel included and share their views, opinions and experiences, using a 'we will come to you' approach.
- 3.15. Our Council groups, engagement and enrichment activities offer visual timetables, visual aids to support understanding, sensory breaks, fidget toys to help with focus, active games and short engaging, interactive tasks that enable all to positively contribute their valuable views at their own level. Accessible family engagement days, bespoke activities, workshops are now regularly run to support children who come under the Strengthening Independence Service ensuring venues are accessible to all and provide inclusive access, hoists, and changing beds for toileting.
- 3.16. These are examples of how children and young people participate in Boards, Meetings and Recruitment and Selection:
- Children and young people who are members of Our Council groups regularly attend our Corporate Parenting Panel and are supported by care experienced apprentices from the team, some of whom have SEND themselves and receive additional support regarding their needs, so they are able to complete their qualification successfully.
 - Senior staff and KCC directors also regularly attend the children's events and celebrations in order for them to meet and speak to them informally.
 - VSK apprentices with SEND support the recruitment and selection process of workers in the Strengthening Independence Service and are integral parts of the interview panels.
 - Apprentices meet with Elected Members in formal and informal settings to share their experiences of care, schooling, and well-being.
- 3.17. These are examples of VSK Specific Children and Young People's Contributions:

- Strengthening Independence Service Vision Statement has been guided by the views and opinions of young people.
 - Children and young People's involvement in meetings about them.
 - Advising of professionals use of language.
 - Children and young people's lived experience included in Kent universities social worker and trainee teacher programmes.
 - Listen Up – explaining why teachers/professionals need to listen to children and young people.
- 3.18. **Sensory Student Council** - Another specific focus is through the Sensory Student Council, which is supported by the statutory Specialist Teaching and Learning Sensory (STLS) Service. The Sensory Student Council (SSC) members attend 3 Sensory Student Meetings a year and this feedback is shared with the Sensory Reference Group (a Kent wide multiagency meeting from keys stake holders for Sensory and Physical Service), the County Sensory Impairment (CSI) Team meetings (leadership of the Physical and Sensory Team) and Children Hearing Services working Group (CHSWG) – a multiagency meeting of Health East Kent Children's Hearing Service, Social Care Team, Speech and Language Therapist (deafness).
- 3.19. The SSC members have shared views on the following topics that have had impact on practice:
- Frequency of staff training delivered in schools
 - Transition to adult audiology
 - Frequency of visits for individual visits in discussion with QToD (Qualified Teacher of the Deaf), QTVI (Qualified Teacher of Children and Young People with Vision Impairment) and QTMSI (Qualified Teacher of Multi-Sensory Impairment)
 - Kent Association for the Blind Habitation services
- 3.20. Evidence of impact/influence on policies, strategies, or service delivery includes:
- QToD delivered Deaf Awareness training again and the learner agreed this was supportive.
 - Transition to audiology in East Kent Children's is now a longer process and QToDs have formed better links with adult audiology.

- Visually Impaired young people contributed to the Kent Association for the Blind review on behalf of KCC.
- 3.21. **Participation of Young People in the Youth Justice System** - The majority of children and young people in the youth justice system have some type of special or additional need, particularly 'emotional and behavioural' school action rather than an EHCP. Participation is through service user feedback (parents and children) to the county Youth Justice Board on a quarterly basis. This comes from routine use of self-assessments by children and families, which is part of the Asset Plus framework.
- 3.22. Focus groups have been held with children and young people to get their feedback and ideas about how they'd like to influence service design/delivery. For example, they talked about methods of giving feedback (WhatsApp, QR codes, groups, etc) and the layout/content of questions and these suggestions are being taken forward.
- 3.23. Through the Family Hubs and with the involvement of District Contextual Safeguarding Managers (DCSMs), youth participation approaches are being embedded in the core offer. The intention is to have mechanisms in place to obtain the views of children and young people about where they feel un/safe in their communities and on-line, and what needs to be put in place to help them to feel safe. Consideration is being given to having a focus within contextual assessments on the views of children and young people, and routine (possibly quarterly or half yearly) 'pop up' community events, including focus groups, to proactively seek views of children about contextual risks. This methodology, when finalised, will be used across all the Family Hubs, including for our children with SEND, and the information gathered will feed back to DCSMs, and into Local Children's Partnership Groups.
- 3.24. There are a number of examples of children and young people involved in the youth justice system influencing delivery including:
- The creation of court maps for each Youth and Crown Court in Kent, with information about who is in court (their roles etc), where to access water/toilets etc, and what to expect as a response to children and young people feeding back, they are nervous of court and don't know what to expect.
 - The development of biographies with photos and introductory personal information for each Referral Order Panel member which are sent to children to understand who is on their panel and what their role is as a response to children feeding back, they were anxious about the Panel members.

- 3.25. **Youth Voice in the development and delivery of Autism Education Trust Training** - AET staff worked with the Emotional Wellbeing Team and the Kent Youth County Council Disability project group to gather pupil voice. The focus of the work was to understand what autistic children and young people wanted schools to know about autism and what strategies could be used to better support them in schools. The young people gathered many views, and this were also used to feed into 'Artistic Autistic', an art exhibition showing artwork created by autistic young people. The AET also took part in a Q&A with the Disability group turning the tables and asking us what support and strategies could be in schools and wider community to better support SEND children and young people.
- 3.26. Through this work, one young person expressed a wish to have the opportunity to be part of the AET training offer and share his school experiences with teachers and professionals in the hope they would better understand the challenges that autistic children and young people can face every day in schools. Officers and the young person co-presented a short workshop on Autism and Anxiety. The student spoke about his experiences, positive and negative in school and described the emotional impact when reasonable adjustments were not put in place. His narrative was impactful because he highlighted that small things make a difference; for example, he related a time in a classroom when he had been positioned near to a bin. Due to his anxiety around dirt and germs he had asked for the bin to be moved but the teacher had refused to move the bin, he then asked if he could move but this request was also refused. The anxiety built and led to the young person exhibiting very dysregulated behaviour, leaving the classroom and eventually being suspended for his behaviour. Had he or the bin moved this would have been avoided.
- 3.27. Following the presentation, many teachers came to thank him, and I have met several since who still talk about the impact his experiences had on their practice. There are plans in place for more co-presenting of this nature in the future. The young person found it empowering to be able to tell his story in the hope it would help other young people through settings having greater understanding.
- 3.28. **Children and Young People's voice in the statutory EHC plan process and Annual Review process** - The work on EHCPs has involved not just improving KCC's performance of completion within the 20-week statutory deadline, but also improvements in the quality of the contents of the plan. Quality assurance of new plans is through four mechanisms
- The Quality Assurance Team lead regular multi-agency education and health officer audits of plans which analyse the contents and feed those

recommendations back into the professional development programme. These audit teams do include PACT representatives too on a regular basis.

- Monthly DfE review of a selection of plans with senior officers which in November identified 83% of plans were of a good quality.
- A service commissioned from InVision360.
- Annual peer reviews through the Association of Directors of Children's Services (ADCS SE) Regional Improvement Programme, 'Courageous Conversations'.

Whilst there is clear and consistent evidence of improvements in the quality of plans since the September 2022 inspection, quality is a key focus currently to obtain the right balance between completion within timescale and maintaining quality.

- 3.29. The 2014 Code of Practice requires professionals to have regard for the child or young person's views, wishes and feelings within Section A of the EHCP, which is entitled: 'The views, interests and aspirations of the child and his or her parents or the young person' and this has been a particular focus since May 2023.
- 3.30. When considering how to improve the quality of Section A, there was a hypothesis that often children and young peoples' views were actually communicated by parents/carers and professionals, rather than the young people themselves. This hypothesis was confirmed from evidence gathered through a Multi-Agency Audit of Section A in a selection of EHCPs jointly conducted by the QA team and PACT. The evidence showed that CYPs voice could not be evidenced strongly enough in Section A and that the "golden thread" of their views and aspirations was not apparent throughout the EHC plan.
- 3.31. Informed by the findings of this Audit, work is in progress to ensure children and young people understand the importance of making themselves heard independently of parents/carers and professionals, in order to have an EHC plan that fully reflects their views and therefore has impact on their lived experience. Training is being delivered through the SENCo Forum to ensure they are skilled to support children and young people to give their voice to the EHC plan and also to involve them more in the Annual Review meetings for their EHC plan.
- 3.32. In order to help officers better communicate with CYPs to strengthen their input to the EHCP. To achieve this aim, 'Workshop Wednesdays' professional

development session for officers have included training on understanding the importance of effectively integrating children and young people's view into Section A of the EHC plan as this will influence their lived experience and it also enables more effective evaluation of the impact of EHC plans. The evidence from Audits (see QA above) demonstrates the positive impact of this training as Section A on EHC plans have shown distinct improvement and in Cycle 21 of our Audits on the Quality of EHC plan showed 76% were judged as Good or Outstanding. There is still more to be done on improving and hearing the CYPs voice, and work continues on strengthening this important area of activity. An example is the work on diversifying the tools available to capture children and young people's voice and one exemplar (of a total of four) can be seen as Appendix 1. Voice of the Child Young Person Form with Widgit Symbols updated 9th September.

- 3.33. During the Annual Review process and particularly with post-16 students, wherever possible officers speak directly with the young person. As part of the Annual Review process up to date contact details are confirmed to ensure the young person is the first point of contact where appropriate for all communication. If a young person wishes for a parent to advocate on their behalf, we ask them to confirm this with us in writing or verbally if appropriate, but if parent has certificate advocacy due to the young person's capacity, we will ensure this is recorded.
- 3.34. **Youth Voice in Health Services** - Children and Young People's voice are central to NHS Kent and Medway's approach to Children and Young People's services. In partnership with system stakeholders, a Lived Experience Framework which describes the Kent and Medway approach to voice was developed this year and can be seen at Appendix 2. Lived Experience Engagement and Employment Framework. An annual report describes the activities and how voice is being used to develop service and this is included as Appendix 3. Kent and Medway NHS How the voices of children, young people and families are gathered and how they are used to improve their experience and outcomes. Significantly this year Children and Young People were involved in developing the first Kent and Medway system-wide "Vision Statement" which will now underpins all strategies and work we do across the system. NHS Kent and Medway have a participation lead for CYP Mental Health and fund Participation leads that sit within Kent County Council, Medway Council and Porchlight to ensure a joined-up system approach.
- 3.35. Examples of impact this year include:
- Hundreds of young people's experience of transition is used to develop British Psychology Society approved training which has been delivered to **180 Kent**

and Medway Professionals.

- NHS Kent and Medway's **Lived Experience Lead** facilitated and supported young people to express concerns over the planned location of safe havens which led to the change the location of services.
- **200 Kent and Medway children and young people** attended the Big Mental Health Conversation at Detling Hill. Their voices informed the Children and Young People's Strategic framework, children and young people's mental health model and over 20 different organisations planning and delivery of services.
- **30 young adults and 70 professionals** joined the Young Adults' Conference in May 2023. The voices here identified limitations and provided solutions to challenges in transition services, social care and health services.
- Over 12 months to June 2023, the Young Adults Participation service (a commissioned engagement and participation project delivered by Porchlight) engaged with over **1,500 young adults at 96 events** and creative workshops. Their voices have directly impacted the delivery of crisis services in Kent and Medway.
- Over **200 children and young people** were directly engaged, with more through digital platforms such as Facebook and Twitter to develop the ICS Children and Young People's Strategic Framework which will set the direction of travel for the Kent and Medway system for the next few years.
- To inform the development of an integrated model of care for children and young people, 17 young people (85% of those having a disability) and 79 parent/carers took part in a survey to demonstrate the impact that their current care had on their lives, and their wishes regarding what would make things easier for themselves and their family. The findings from the survey together with the outcomes from workshops has led to the development of PCN-Led Multi-Disciplinary Teams (MDTs) across East Kent and Medway & Swale, named as the "Children's Care Collaborative".

4. Engagement with Parents and Carers including Parents and Carers Together (PACT)

- 4.1. Kent PACT is the DfE recognised, statutory parent carer forum (PCF) for Kent. their role is to work with the LA and NHS to gather the voice of families to 'design, develop, review, and improve services and support for children and young people with disabilities 0-25 yrs in SEND. All DfE recognised PCF's parent carer forums are funded through a £17.5k grant from the DfE, and KCC also support the organisation through Grant funding. To build on and further develop the existing relationships and structures, the DfE offered consultancy support from the Council for Disabled Children to work with the key stakeholders through the 'RISE ' programme, this took place during February 2024. The aim was to develop a greater understanding for stakeholders about the terminology used in relation to engagement,

consultation, and co-production.

- 4.2. The workshop enabled discussion with stakeholders about the true meaning of co-production and its principles. The group discussed what opportunities in SEND enable us to co-produce and how that could be facilitated. A template for the refreshed co-production charter was agreed and is currently *in the final stages of development* by Kent PACT and the SEND Engagement and Operation Manager. A collaboration agreement was co-constructed with Kent PACT and signed off in October 2023. Schedules form an agreed work plan to underpin this agreement and are reviewed at Quarterly Review meetings. These may, with all parties agreement, be subject to change.
- 4.3. The Partners (KCC, NHS and Kent PACT) jointly *discuss*, review and agree areas of *PCF activity and performance* and the allocation of the KCC Direct Grant Award to Kent PACT. This is agreed pending satisfactory performance and monitoring. This funding is in addition to funding from the DfE. Forward planning for the next financial year takes account of:
 1. Engagement plan and capacity
 2. The annual priorities
 3. Annual meeting matrix
 4. Levels of funding resource
 5. Areas of potential 'in-kind' resource.

Reports to Scrutiny will now include an update on meetings with Kent PACT. Meetings between September and December 2024 are recorded in full in Appendix 4.

- 4.4. KCC PACT Record of engagement - PACT is a key partner in the delivery of the PINS project in Maidstone, leading sessions in the participating schools with the intention over the longer term for these to develop into parent/carer forums. The format of these sessions includes a short presentation from PACT followed by a Question and Answer and informal discussion, providing an opportunity for the participants to talk freely in a safe space and raise any concerns that they had. The need for collaboration between staff and parents is stressed as this provides the foundation for a new culture to embed and benefit as many children as possible. Discussions focus on how the school and parents can work together to establish forums within school to encourage awareness of neurodiversity and how the role of Kent PACT, the menu of support and the wider PINS network can help to facilitate this.
- 4.5. **Family Hubs Parent Carer Panel** – Parent Carer Panel (PCP) sessions have been instrumental in shaping aspects of service delivery in the Kent Family Hubs. For instance, a virtual session introduced the new Family Hub website

where feedback from parents and carers highlighted the need for a user-friendly interface and dedicated section for training opportunities for parents. This feedback has been incorporated into the development of the new Family Hub website.

- 4.6. Another session focused on parental mental health and wellbeing and participants shared their experiences and tips, leading to a review of the mental health support section on the current website. Parents expressed the need for more activities for children over 5 and targeted support for children with SEND during school holidays on the Local Kent Directory. These insights have prompted the development of new support initiatives as part of the Family Hub offer.
- 4.7. At a session led by a Speech and Language Therapist a presentation on language development was followed by discussion on the importance of settings involving parents in information and training on Speech, Language and Communication Needs, including relevant reports around support needed for their children. Additionally, a parent highlighted the high levels of digital poverty on the Isle of Sheppey, suggesting a greater focus on in-person parental engagement. Feedback from this session informed the final version of the Speech and Language section on the new Family Hub website.
- 4.8. Other sessions addressed:
 - Volunteering opportunities, with parents identifying barriers such as family commitments and the need for flexible roles. In response the FH team are improving accessibility, including online training and flexible scheduling and investigating the potential for weekend volunteering.
 - Peer support through a session led by a Family Network Facilitator which has resulted in work to establish a peer-led group.
 - Parental views on education and concerns about exam-based outcomes and testing were raised; this will inform the development of the educational support on the website.
- 4.9. A clear mechanism has been established so that feedback from PCPs informs the SEND Roadshow planning and with the SEND Engagement, Operations and Assurance Manager.
- 4.10. Influence and evidence of impact – the feedback from sessions has influenced the development of the Family Hub digital and support offer. The new Family Hub website's design and functionality reflect parent input, making it easier to navigate and more user friendly. The inclusion of plans to offer a dedicated mental health support section highlights the importance placed on mental health support awareness by parents. The Speech and Language section of the FH website will be refined based on parent and carer feedback, ensuring it meets their needs.

- 4.11. Updated promotional materials, timetables and strategies, fliers and in-person promotion, were developed based on parent suggestions. Adjustments to volunteering roles and promotion strategies have been made to address barriers identified by parents, ensuring opportunities are accessible and well-publicised. The establishment of peer-led groups and increased focus on peer support highlight the value placed on community and shared experiences. These contributions and the resulting changes demonstrate the significant impact of PCP sessions in shaping strategies and services.
- 4.12. Whilst the PCPs do not engage directly with young people, they play a critical role in capturing the voices of children aged 0-19 and up to 25 with SEND through parent/carer engagement, ensuring the needs of all children and young people, particular younger age groups and those with SEND are effectively met. More information about the PCPs can be seen in Appendix 5. PCP update.
- 4.13. **KCC wider engagement with parents and carers** - The SEN Quality Assurance Team is developing an increasing focus on prioritising community engagement in order to collect and incorporate direct feedback from parents, carers, children, young people and schools into wider service development and improvement. Key initiatives include:
- Regular surveys gathering information from parents and carers, children and young people and schools/educational setting on the quality of SEN services and areas for potential enhancement.
 - Conferences and focus groups, like the "Bridging the Gap" conference, that address specific community concerns.
 - A rolling, countywide series of SEND Information, Advice, and Guidance (IAG) Roadshows that bring resources and information directly to families across Kent. This section provides an overview of these initiatives, offering insights into their impact and indicating future direction.
- 4.14. **Stakeholder Surveys**
To collect regular qualitative information about perceptions of service satisfaction and community needs, SEN distributes surveys three times each academic year to parents, children and young people and schools. These surveys are integral for:
- **Assessing Service Quality:** Gauging satisfaction with current SEND support, including perceptions of the effectiveness and accessibility of services.
 - **Identifying Improvement Areas:** Parents and schools provide insights into specific service gaps, from early support stages to EHCP assessments and ongoing service accessibility.

- **Building Trust with Families and Schools:** Recurrent surveys demonstrate KCC's commitment to transparency and accountability, as changes based on feedback can be communicated back to stakeholders in future surveys.

The findings are analysed, triangulated with other data to build a rich picture and used to inform service delivery.

4.15. **Process Transparency and the "Bridging the Gap" Conference -** Feedback gathered from the Kent Parent and Carers Together (PACT) "Bridging the Gap" June 2024 conference focused on parental/carer concerns regarding the accessibility and clarity of SEND processes, as well as making suggestions on improving the accessibility of the rich range of information available through the SEND Local Offer. The action taken to address these concerns are as follows:

- **Development of Visual, Co-Designed Resources:** KCC and Kent PACT have organised focus groups to work with parents in producing easy-to-follow documents. These co-designed resources cover critical areas:
- **Roles and Responsibilities:** Outlining the distinct roles of families, schools, and council services within SEND processes.
- **Needs Assessment Process:** Clarifying the stages involved in determining whether a child qualifies for additional support, with visual aids to improve understanding.
- **Annual Reviews and Pre-EHCP Support:** Providing detailed steps on preparing for annual reviews and understanding the support available before an EHCP is issued.
- **Enhanced Opportunities for Parental Involvement:** Focus groups are structured to maximise parental contributions, with KCC actively encouraging broader community involvement.

4.16. The Impact of this collaboration has resulted in resources that are not only useful for parents but also facilitate smoother interactions between families and service providers by reducing misunderstandings about roles and expectations. These documents, by making the process more transparent, have shown promise in fostering greater trust between the LA and families.

4.17. **SEND Information, Advice, and Guidance (IAG) Roadshows -** KCC has extended its place-based SEND IAG services through an increase in community-based "SEND Roadshows," which bring information and support directly to families at a district level. Key components of these events include:

- **Collaborative Feedback and Workshops:** Families participate in workshops where they can provide direct feedback on critical resources, like the "Handbook for Families - Information on Autism and ADHD." Workshop sessions also allow KCC to gather input on areas of the Local Offer that need

improvement.

- **Strengthening Family Hub Collaboration:** Roadshows work closely with Family Hubs to deliver a cohesive support system. Family Hub staff are increasingly confident in the range of SEND resources available, enhancing their ability to guide families effectively. This partnership also fosters a community-centric approach, making SEND services feel more approachable and accessible for families.
 - **Future Expansion:** Plans for 2025 include specialised Roadshow events, such as a post-16 support event in Tunbridge Wells and a group of primary school sessions in Sevenoaks, aimed at broadening outreach and addressing specific community needs.
- 4.18. Families are reporting high satisfaction with these events, noting improved access to resources and greater confidence in navigating SEND services. This approach allows KCC to adapt services based on real-time feedback, ensuring that future events align with evolving community needs
- 4.19. **Ongoing Consultation and Expert Contributions** - In addition to formal surveys and roadshows, KCC benefits from continuous consultation through the involvement of experts by experience. Key programs influenced by these experts include:
- **Designated Key Worker Program:** This initiative assigns experienced individuals to provide tailored support, guiding families through complex needs and individual care plans.
 - **Neurodevelopmental Assessment Pathway:** Designed to streamline assessment procedures for conditions such as autism, ADHD, and other developmental challenges, ensuring timely and accurate support for CYP.
 - **Children and Young People's Crisis and Complex Care Program:** This program supports families managing acute mental health and behavioural needs, offering immediate intervention and ongoing care resources.

By embedding expert voices directly into program design, KCC ensures that its services remain responsive and relevant to the complex, real-life challenges faced by families.

- 4.20. **The Balanced System Infographic Initiative** - Recognising that traditional, text-heavy resources can be challenging for parents unfamiliar with SEND terminology, KCC co-created the "Balanced System" infographic with parent input. This tool:
- **Simplifies Information:** Converts complex text into a visual format that's easier to understand and more engaging, especially for families new to SEND services.

- Promotes a Welcoming Environment: The infographic uses friendly design elements to make information on SEND services feel approachable, helping to demystify support options and encourage greater parental engagement.

The success of this infographic highlights the importance of using visually engaging tools to improve communication, especially for families with limited prior experience navigating SEND services.

- 4.21. **The SEND Newsletter** - KCC has a newsletter which has grown to almost 14,000 subscribers since it was established in 2020. The newsletter is sent each term and contains a range of education, health and care information for parents, including updates about SEND local area improvements, relevant information related to the school year such as reminders for school place applications, useful tips and information, regular updates from our Young People's Participation team, Kent PACT and IASK. This year we introduced a new 'You Said We Did' section showing how feedback from young people and parents is shaping services.
- 4.22. The parent newsletter, as well as KCC's social media content, performs well in comparison to local government sector performance. The newsletter has an average open rate of 49%, compared with 38-40% for other local government newsletters. KCC does [publish the newsletter on the SEND Information Hub](#) and via social media, and regularly promote the chance to sign up to receive it.

5. Support Available Pre-EHCP

- 5.1. The approach taken is to develop SEND inclusion capacity in mainstream schools through a wider variety of approaches, including outreach by some of the Kent state-funded special schools. KCC has previously endorsed the Countywide Approach to Inclusive Education <https://www.kelsi.org.uk/special-education-needs/inclusion/countywide-approach-to-inclusive-education> and the Mainstream Core Standards <https://www.kelsi.org.uk/special-education-needs/inclusion/the-mainstream-core-standards>. The roll out of training has also been previously reported on, in summary.

Area	% mainstream schools & settings accessing	Notes
Mainstream Core Standards (evaluation report included as Appendix 6.)	781 delegates from 351 schools 54% (295) Primary Schools 26% (56) Secondary Schools	
SEND Peer Review Programme (i.e. Inclusive Leadership in Kent)	Across the three cohorts a total of 150 schools, 42% of the contract target of 360 mainstream schools, participated in	

	the Programme. This represents approximately 27% of all eligible primary and 26% of eligible secondary schools	
Nurture UK	<p>Across the eight cohorts a total of 298 schools, 99% of the contract target of 300 mainstream schools participated in the Programme. Of these 77% (232 schools) completed the full Programme.</p> <p>This represents approximately 44% of all eligible primary and 28% of eligible secondary schools.</p>	41 schools have achieved the National Nurturing School Programme. However, this is a rolling programme and more schools still going through the process.
Autism Education Trust	<p>Making Sense of Autism</p> <p><u>2022– 2024 School Age</u></p> <p>292/568 schools have received MSA (Making Sense of Autism) 51.4%</p> <p><u>2023 – 2024 School Age</u></p> <p>277/568 schools have received MSA (Making Sense of Autism) 48%</p> <p><u>2022 – 2024 Early Years</u></p> <p>212/1435 settings have received MSA 14.77%</p> <p><u>2023 – 2024 Early Years</u></p> <p>200/1435 settings have received MSA 13.93%</p> <p><u>2023 – 2024 Post 16</u></p> <p>31/104 settings have received MSA 39.80% (this assumes Post 16 staff attended Secondary training)</p> <p>Good Autism Practice</p> <p><u>2022 – 2024 School Age</u></p> <p>23/568 schools have received GAP (Good Autism Practice) practice 4%</p>	

	<p><u>2022 – 2024 Early Years</u></p> <p>31/1435 settings have received GAP (Good Autism Practice) 2.2%</p> <p><u>2022- 2024 Post 16</u></p> <p>3/104 Settings have received GAP (Good Autism Practice) 2.9%</p>	
<p>PINS (Partnership for the Inclusion of Neurodiversity in Schools)</p> <p>Pathfinder – 20 schools in the Maidstone District</p> <p>The AET training programme is part of the universal offer for PINS)</p> <p>There are 3 training courses on offer plus bespoke action planning support to embed the Standards Framework for school.</p>	<p>Please find below the levels of engagement for the PINS (Maidstone) schools.</p> <p>There are 3 courses on offer plus action planning.</p> <p>90% Maidstone schools have requested training in at least one area 18/20</p> <p>85% Maidstone schools have requested training in at least two areas 17/20</p> <p>25% Maidstone schools have requested training in at least 3 areas 5/20</p> <p>5% Maidstone school has requested all three trainings and action planning 1/20</p>	<p>The expectation is that every school that completes MSA will receive an action planning meeting so these will raise the engagement figures.</p> <p>Two primary schools had already completed MSA training last year so would not be requesting all 3 areas.</p>
<p>Dingley’s Promise (a new Comic Relief funded training programme for the EY)</p>	<p>10% Early Years settings</p>	<p>This is relatively new evidence-based training funded through Comic Relief</p>

5.2. All Mainstream schools (except on Swale and this is being addressed) have been allocated a named link speech and language therapist to support schools with developing their provision for SLCN. Schools can discuss any pupils they have concerns about with the link therapist .In addition, The Balance System is being implemented in schools to develop Speech and Language capacity, more information can be seen here <https://www.kelsi.org.uk/special-education-needs/special-educational-needs/the-balanced-system-in-kent-for-speech-language-and-communications-needs-slcn>

- 5.3. There is a wide range of support for **emotional well-being and mental health**. KCC has produced a SEMH Toolkit for schools which can be seen here https://www.kelsi.org.uk/_data/assets/pdf_file/0004/167278/SEMH-toolkit.pdf
- 5.4. **Mental Health Support Teams:** Mental Health Support Teams (MHSTs) are government initiative to increase children and young people's access to emotional wellbeing and mental health support in education settings. MHSTs work with children and young people, their families, and education settings. Within Kent, teams are known as 'Emotional Wellbeing Teams'. NELFT delivers Kent's service on behalf of NHS Kent and Medway (NHSKM). Across Kent there are 16 live teams with a further five teams either in their mobilisation phase, or soon to begin mobilisation. Each team supports between 7,000 – 8,000 students. Requests for support can be made by education setting staff, children, young people, or their parents/carers.
- 5.5. **CYPMHS:** NHSKM commissions NELFT to deliver specialist children and young people's mental health services (CYPMHS) for 0–18-year-olds, as well as neurodevelopmental diagnostic assessments. Children and young people seen by CYPMHS are usually significantly affected by mental health difficulties to the point where it is affecting their everyday life, like attending school or going out with friends. Requests for support can be made by children, young people, parents/carers, or professionals by either completing an online form or calling Kent and Medway's single point of access.
- 5.6. **School Health Service:** KCHFT is commissioned by Kent County Council (KCC) to deliver the School Health Service. The service sees children and young people until they are 19 years and helps them reach their full potential. Young people aged 11 to 19 can access the ChatHealth text service to have direct access to a nurse Monday to Friday, 9am to 5pm. This service is confidential and anonymous. KCHFT also provide the Children and Young People's Counselling Service to support the emotional health and wellbeing of children and young people aged four to 19. This service offers up to six counselling sessions to help a young person gain understanding and develop strategies to help them feel better. For primary school-aged children, six sessions with a counsellor maybe delivered to parents/carers to offer advice on practical, easy to use strategies to support their child.
- 5.7. **Captain Wonderweb and the Esteem Machine:** NHSKM commissions Shooting Star to deliver an interactive, theatre-based show, with accompanying classroom teaching resources, to Kent's primary schools. The objective is to provide children, parents/carers and schools with tools to build resilience, keep mentally and emotionally healthy and to raise awareness of how mental health and physical health are linked. Primary schools are contacted and invited to book a performance date.
- 5.8. **Emotional wellbeing networks:** NHSKM funds KCC to deliver termly workshops to education settings and partner agencies with a role in supporting children and young people's wellbeing in each of Kent's 12

districts. The workshops have a focus topic with presentations from invited speakers with specialist information, knowledge, and skills to explore areas of interest and provide evidence-based resources and good practice. Attendees are asked to complete a survey at the end of each workshop to suggest future topics.

- 5.9. **Mind and Body programme:** We are With You provides the Mind and Body programme to young people aged 13 to 25 years old in Kent on behalf of NHSKM. Mind and Body supports young people and young adults who are self-harming, at risk of self-harming, or struggling with their mental wellbeing. The programme helps them to find positive ways to manage difficult thoughts and feelings, working with small groups in secondary schools and in the community. There is an open referral process. Staff working in this programme offer free training for professionals and parents/carers to help them learn how to manage risk and explore strategies to best support a young person who is self-harming or at risk of self-harming.
- 5.10. **Kooth plc** provides anonymous online counselling and online resources to those aged 10–25 living in Kent and Medway on behalf of NHSKM. It is available 365 days a year. Kooth's website contains helpful articles, personal experiences and tips from young people and the Kooth team. There are also discussion boards with lots of topics to choose from. Young people can use text or live chat function to chat to the Kooth team about anything on their mind. There is also an online daily journal to help users to track their feelings or emotions and reflect on how they're doing.
- 5.11. The **School Health Service** provide universal support in schools to support a whole school approach. This includes a tier 1 package of care on mental health and wellbeing and a counselling service which we are currently out for public consultation on - <https://www.kentcht.nhs.uk/service/school-health/>
- 5.12. With regard to **services for schools**, a team of **KCC SEN Inclusion Advisers** whose role is to help mainstream schools include SEN children including supporting parents and carers to raise any concerns with the school's SEN support. The **statutory Specialist Teaching and Learning Services** are managed through KCC and provide support for children and young people (0 to 19 years) with sensory and physical disabilities, or complex needs. <https://www.kent.gov.uk/education-and-children/special-educational-needs/types-of-send/sensory-services/specialist-teaching-and-learning-services> **Non-statutory STL Services** are managed through some Kent special schools and provide support for children and young people on for range of additional and special needs.
- 5.13. In addition, there is a wide range of support available to children, young people and families pre EHCP which can be viewed on the Local Offer and includes:

- Health visitors <https://www.kent.gov.uk/education-and-children/kent-family-hub/pregnancy-and-the-first-two-years/toddler/health-visiting>
- School health service (nurses) <https://www.kent.gov.uk/social-care-and-health/health/school-public-health-service>
- Voluntary organisations, support groups and advice charities active in Kent <https://local.kent.gov.uk/kb5/kent/directory/results.page?localofferchannel=0>
- Independent advice <https://www.iask.org.uk/>
- Family Hubs <https://www.kent.gov.uk/education-and-children/kent-family-hub>
- Support in Early Years <https://www.kent.gov.uk/education-and-children/special-educational-needs/support-for-children-under-5/send-for-children-with-SEND-in-early-years>
- Portage <https://www.kent.gov.uk/education-and-children/special-educational-needs/support-for-children-under-5/portage>
- Special Needs Inclusion Fund <https://www.kent.gov.uk/education-and-children/special-educational-needs/support-for-school-age-children/support-for-send-professionals/send-funding-for-early-year-providers>
- Therapies/The Pod <https://www.kentcht.nhs.uk/childrens-therapies-the-pod/>
- Kent Children and Families Information Service (CFIS) <https://www.kent.gov.uk/education-and-children/childcare-and-pre-school/advice-about-childcare>
- Kent Resilience Hub <https://kentresiliencehub.org.uk/supporting-your-child/resources/>
- Multi-agency specialist hubs (MASH) <https://www.kent.gov.uk/education-and-children/special-educational-needs/social-care-support-for-your-child-or-young-person/mashes>

6. The Evidence of SEND Inclusion in Schools and Settings

- 6.1. A range of evidence is used to inform judgements about SEND inclusion in Kent schools and education settings.
- 6.2. **Engagement in and evaluation of training** in the original Mainstream Core Standards ran for several years. This training is now integrated into the standard school improvement offer for Kent. The most recent report for on MCS is included as Appendix 6. Review of the Mainstream Core Standards Evaluation report. There is now a phase specific training and support programme for SENCOs with regular meetings and an annual conference, with the evaluation report included as Appendix 7. SENCO Conference 2024- Celebrating Inclusion Evaluation. Following publication of the CATIE, an

annual report is now drafted to assess the success of meeting the objectives of this strategy and this is included as Appendix 8. CATIE Annual Report 2023-24.

6.3. **Ofsted inspection reports** - All schools and settings are inspected. Reports are reviewed and the majority of schools are judged to have good inclusive practice. Some examples of quotes from reports include –

- Early Years:

Leaders' expectations of what children can achieve are exceptionally high. Children are inquisitive and enthusiastic learners, who concentrate well at all times. They behave extremely well. Any unkind behaviour is dealt with swiftly. Staff are excellent role models and are highly attentive of all children's needs. Relationships are warm and supportive, and everyone is welcome. In particular, staff provide first-rate support to those with special educational needs and/or disabilities (SEND).

Children of all ages behave very well across the setting. There are high expectations for all children, including those with special educational needs and or disabilities (SEND). For instance, consistent approaches to behaviour management are embedded across the setting. The skilled staff team support children exceptionally well to learn how to understand their emotions. They adapt their teaching strategies to meet the individual needs of children. Where needed, staff implement a personalised approach to ensure that swift and highly effective action is taken to support children when they struggle to regulate their own behaviour.

Support for children with special educational needs and/or disabilities is exceptional. Staff liaise with parents and other professionals to target and support children's learning. Personalised plans and good use of funding contribute towards the rapid and substantial progress that children are making. They make particularly swift progress in their physical skills and language development.

The dedicated special educational needs coordinator is highly effective in recognising those children that are in danger of falling behind their peers. His astute observations and individual plans support those children to make good progress in their development and learning. Additional funding is used well to provide children with new and enriching experiences, including extra support from specialist teachers.

Staff support all children to make good progress, and children have a positive attitude towards their learning. This includes children with special educational needs and/or disabilities. Staff liaise closely with other agencies, such as speech and language therapists. They observe children together and implement helpful strategies that support children, such as visual prompts.

- Primary Phase:

The school has high ambition for all pupils. They encounter an engaging and interesting curriculum. As a result, pupils develop their knowledge and skills across the curriculum exceptionally well. The school supports pupils with special

educational needs and/or disabilities (SEND) very effectively. This ensures that they are included in the full life of the school and achieve well.

The achievement of pupils is far stronger than current published outcomes data indicates. The school is ambitious for all pupils to achieve their best, including the substantial cohort of pupils with special educational needs and/or disabilities (SEND). Staff understand what each pupil needs for them to move forward in their learning.

Pupils work hard. They have expert help in lessons because teachers are well trained. Staff expect pupils to try their best. Pupils live up to these high expectations. At the heart of the school is the belief that everyone is included. This means that all pupils, and particularly pupils with special educational needs and/or disabilities (SEND), learn and enjoy school together. For example, in the whole-school 'sign and sing' assemblies, pupils learn sign language. Pupils are thoughtful, kind and respectful.

A growing proportion of pupils who are disadvantaged now attend the school. The school has carefully adapted the provision to support these pupils' needs. As a result, all pupils feel welcomed and confident that adults and other pupils care and understand them. The school's offer beyond the academic is well considered. Experiences such as the choir's regular public performances include and prioritise disadvantaged pupils, including those with special educational needs and/or disabilities (SEND). Pupils are passionate about these opportunities. The school has made thoughtful changes to routines, which have supported pupils with SEND to make friends and feel like they belong to the school's wider community.

Children make a wonderful start in early years. In Nursery and Reception, staff share impressive expertise and care, working tirelessly to support children with complex needs. Language development is rightly the top priority to help children communicate well. Staff promote independence very well. Children prepare their own healthy snacks and always wash up afterwards. Across the school, pupils with special educational needs and/or disabilities (SEND) benefit from strong support. Pupils from the SEND unit receive skilful support to help them access the full curriculum with their mainstream classes. Teachers adapt lessons to help every child to achieve success. Where needed, pupils use sensory equipment, such as ear defenders and individual workstations, to help them thrive.

Children have an excellent start to education in the early years. Children are nurtured, thrive and make strong progress from their starting points. Early years leadership is outstanding. Teaching and learning are good. As a result, pupils make typically good progress from their starting points in reading, writing and mathematics. Additional funding is used well to support the learning of vulnerable pupils. Disadvantaged pupils and pupils with special educational needs and/or disabilities (SEND) achieve well.

Teachers know their pupils well. Staff set high expectations and develop pupils' resilience. If pupils find something hard, they are given additional help if they need it. This includes pupils with special educational needs and/or disabilities (SEND). Teachers support pupils with SEND to be successful, including those from the

resource-based provision. Pupils are given carefully considered resources to allow them to work alongside their peers. Lessons are adapted to ensure that these pupils achieve well. The special educational needs coordinator (SENCo) knows the pupils well. Checks are made to ensure that work is closely matched to what pupils can do.

- Secondary Phase:

This school is highly ambitious for its pupils. Staff deliver the sophisticated curriculum very effectively. As a result, all pupils, including those with special educational needs and/or disabilities (SEND), achieve exceptionally well.

Staff have high expectations for pupils with special educational needs and/or disabilities (SEND). These pupils' needs are identified precisely and met effectively. Those pupils in the specially resourced provision for pupils with SEND, specifically with autistic spectrum disorder, receive expert support and are included fully in the life of the school.

Staff identify pupils' needs accurately. Pupils with special educational needs and/or disabilities (SEND) achieve as well as their peers in almost all subjects because well-trained staff provide strong support, and teachers adapt the curriculum successfully.

Pupils with special educational needs and/or disabilities are very well supported by leaders. Leaders work with teachers to carefully identify any barriers to learning or to taking part in the full life of the school. Staff then ensure that all pupils have the help they need to overcome these obstacles. Leaders have made subtle and thoughtful adaptations to the school to make sure that physical disabilities do not prevent pupils from either achieving highly or from being included in activities with their peers.

Leaders identify well the needs of pupils with special educational needs and/or disabilities (SEND). These pupils are supported well through the adaptations that teachers make for them in lessons. In the SRP provision, pupils benefit from additional support. All pupils thrive due to the warm and supportive relationships with staff.

Disadvantaged pupils, and those with special educational needs and/or disabilities (SEND), receive a good quality of education. They are well known to teachers and support staff. Leaders are determined to offer an ambitious and broad curriculum for all pupils. Parents comment positively on the school's support for pupils' mental well-being.

- Post 16:

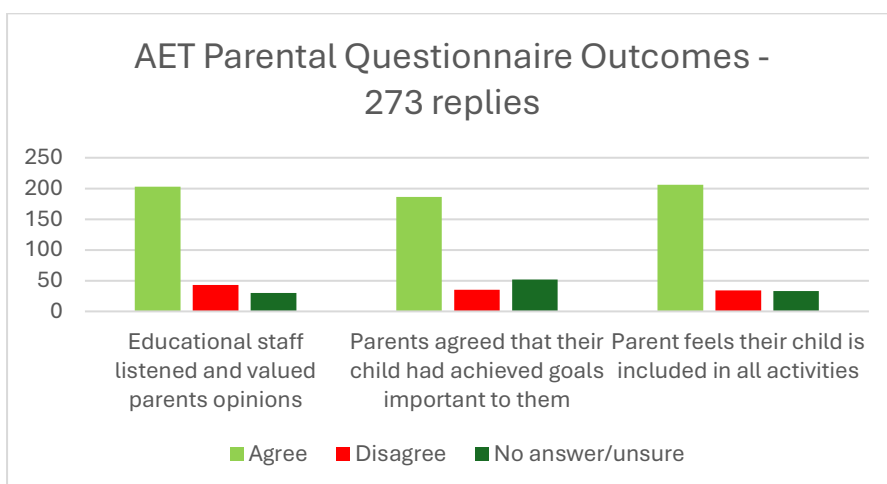
Learners are motivated highly to succeed. They attend lessons very well and demonstrate the reliability that staff and, where relevant, employers expect of them. When learners are absent, caring staff check on their welfare and make sure they always catch up on missed work. Learners become increasingly confident at work and model exemplary professional standards to other learners, who quickly adopt them.

Learners are very positive and proud of their education. They share the exceptionally high ambitions that leaders, trustees and staff have for them to achieve. Learners benefit from early discussions about their aspirations and ambitions with staff, who work with them effectively and consistently to achieve their goals through the course of their studies. As a result, learners make excellent academic and personal progress.

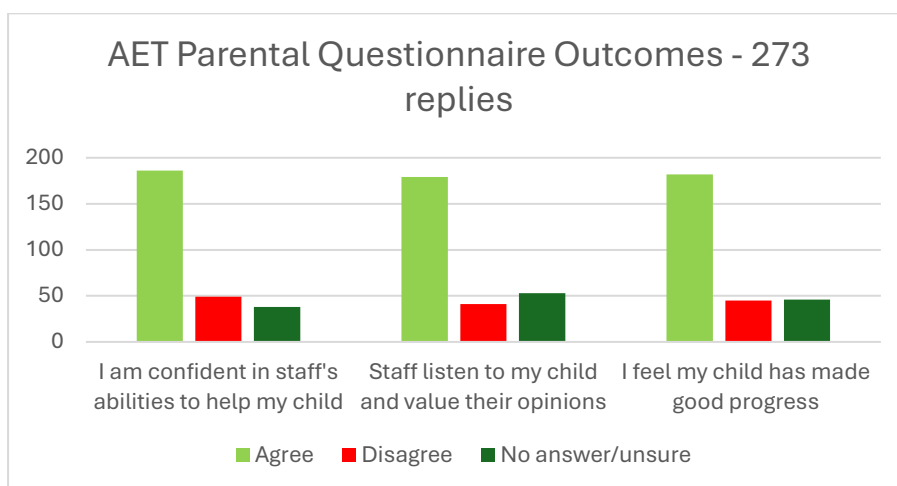
Learners and apprentices, including those who have high needs, make very good and sustained progress from their starting points. They gain many useful additional skills and study complementary qualifications relevant to their specialist industries that stand them in good stead to move on to their intended next steps. For example, those interested in setting up their own business, such as bricklaying learners and offenders at a local open prison, learn about self-assessment tax returns and value added tax. Learners with profound and multiple disabilities increasingly spend more days in community and social care settings, which prepares them well for their transition to these settings at the end of their courses and training at college.

- 6.4. **The Kent District Dashboard** - Working in collaboration with schools KCC has developed a Dashboard which brings together a range of data sets which are inclusion related and the list in full can be seen below. The dashboard is updated regularly as new national datasets are published. The Dashboard is available to all schools to see their own individual data, they can also access other schools' data collated by district to enable benchmarking. The Dashboard is an important tool to support decision-making by the forthcoming Communities of Schools. An example of a District Dashboard report is included as Appendix 9. PowerBI Snapshots one district.
- 6.5. **Autism Education Trust training, PINS; the approach and outcomes of evaluation** - Kent County Council purchased a three-year license for the use of Autism Education Trust (a collaboration between the National Autistic Trust and Ambitious About Autism, supported by the Department for Education) materials. This has enabled KCC to deliver the training and implement other materials in schools and other education settings and this will continue until 2025. An AET progress report is included as Appendix 10. This capacity building in education settings has provided a firm foundation for further development work and evaluation by parents has been generally positive, see below and Appendix 11. An Evaluation Report on SEN Autism/Neurodevelopmental interventions in Kent.
- 6.6. Since this work started, the ICB funded This is Me pilot was completed <https://www.kmhealthandcare.uk/your-health/autism-and-attention-deficit-hyperactivity-disorder-adhd-services/me> and discussions took place about the potential for this model to be extended across Kent to support schools in the early identification and successful intervention with pupils and their families who show neurodiverse traits. At that time children and young people were being recommended to join the waiting list for an ND diagnosis, but high demand meant there was a very long wait. Professionals were concerned to create a positive alternative for these children and young people which did not necessarily require a diagnosis for them to access targeted help. Planning started for a larger scale trial in Maidstone funded by the ICB.

- 6.7. Around the same time, Kent was successful in a cross-organisational bid to join the DfE funded Partnerships for Inclusion of Neurodiversity in Schools (PINS) project. A sophisticated project plan, bringing together This is Me and PINS into one package of support for the schools was developed, with preparatory work being undertaken in the summer of 2024 and full rollout taking place from 1st September 2024. A serving Kent headteacher was seconded two days a week to lead the project and implementation is being supported by an impressive number of services.
- 6.8. As the Maidstone pathfinder work is trialling a change which has been agreed in principle should be rolled out across the county over time, it was important that the work was supported by a robust and iterative academic evaluation as this would inform the development of the work in real time as well as evidencing the business case for change. To support this area Kent County Council employed a 0.6 FTE researcher in January 2024, part funded as an embedded researcher in a Local Authority by the Kent, Surrey and Sussex Applied Research Collaborative.
- 6.9. The full report can be seen as Appendix 11. Examples of evaluation include:
- An AET quantitative and qualitative online questionnaire for parents of children where their child’s school setting has had AET training, how things are for them and their neurodiverse child. 296 parents completed the survey, and 273 parents agreed for the results to be used for research purposes.



School delayed in recognising neurodivergence in child	6
Whole school deemed not supportive of SEN	5
Primary support OK but concerns for when child moves to secondary	4
School is supportive of parent and ND pupil	4
Communication with parents from school is poor	3
Teachers are good	3
SEN 'ineffectual'	3
SEN 'effective'	3
I think the school do the best they can with the resources they have	3
Communication with parents from school is poor	3
SEN advice not put into action	3
Not enough supportive therapy	3



- PINS Parental Survey conducted in 10 Maidstone primary schools. This small survey attracted 188 parental responses of which 114 identified as being parents of a child with SEN. Of the 40 parents that provided comments the themes identified from the highest presenting qualitative comments are as follows.

Generally positive comments: 9

Generally negative comments: 16

Neutral (either neutral or a bit of good and bad, or 'school were poor and improved' etc.): 15

Did not make a comment: 148

NB – this project had been running from September 2024.

7. Phase Transfer

- 7.1. Members will be aware that before 2022, the delivery of Phase Transfer was overseen solely by SEN staff, with an expectation that it would be managed by Area Casework teams in conjunction with their continued duties in relation to Annual Review. It should be noted that over time, the Phase Transfer process had become almost completely decentralised, with the majority of parental engagement and a large proportion of decision-making passed to schools. With Kent simply overseeing, there was insufficient central organisation to ensure that disparate area team efforts were adequate to ensure Kent met its county wide duties by statutory deadlines. This negatively impacted SEN families, but also similarly affected related mainstream processes, jeopardising Kent's ability to offer school places to any child in legal timescales.
- 7.2. As a result, for the 2023 intake year, SEN piloted a system that was supported by colleagues in Fair Access, utilising that teams' expertise in delivering statutory functions to high volumes of residents, harnessing system process and function to allow staff resource to be targeted more fully in ensuring pupil level decisions were reasonable and appropriate. Due the level of dysfunction present in the system, it was noted at the time that while this combined approach would reap sizable benefits within the first year, continued year on year refinements would be necessary before residents could experience true parity between the SEN and mainstream processes. It should also be noted that historic prioritisation of Secondary Phase Transfer had resulted in Post 16 processes being in a severely worse state, meaning that improvements in this Phase would be more challenging and therefore more time consuming.
- 7.3. As such, this report will include updates on last year's Phase Transfer (for children who started their new placement this academic year), work underway this year for 2025 intake and plans already underway for improvements for the 2026 intake process.
- 7.4. **Phase Transfer 2023-24** - The main changes that were made from previous practice include:
 - Collection of parental preferences returned to SEN teams, ensuring that staff could engage directly with parents, providing more detailed advice and more timely responses to their queries (although the volume of parental queries across SEN continues to be a challenge and is under constant review and refinement). This approach freed schools up from administrative duties, allowing them to refocus that time to increase the level of support they provide to parents to plan for their child's transition. Annual review processes were also adjusted to ensure that accuracy of parental contact information was improved, so that future engagement would benefit from improved data quality.

- This centralisation allowed for other services to increase the level of support that they provided parents. These included parents being advised of their nearest mainstream school so that transport implications could be considered before they named their preference.
- Formalisation of school led decision making panels, overseen and chaired by SEN Senior Officers. This provided a robust environment for peer to peer and LA to school challenge, to ensure that decisions were appropriate for each child and made best use of available resources. This also helped improve consistency of decision making across the county.
- The introduction of an SEN equivalent of “National Offer Day” ensuring all parents were contacted before the statutory deadline. Historically, parents were contacted on an ad hoc basis as each EHCP was finalised. This created uncertainty for parents and schools and removed Kent’s ability to monitor high level decision making. This also meant that where decisions were not made by the statutory deadline, it was not possible to contact parents to advise why an offer could not yet be made. While Kent retains the duty to make all decisions by the deadline, these improvements still increased the quality of parental communication and allows for remaining cases to be more easily identified and resolved.
- Centralised record keeping has improved the Inclusion Service’s ability to engage with schools to support transition arrangements for individual children.

7.5. Outcomes of the changes include:

- In the year 6 to year 7 transition process, 92% of families received an answer by the deadline compared to c.70% in 2023, which represent a roughly 30% improvement. By the start of the academic year, this position had improved to 98%, with staff continuing to support the remaining 22 children to find a school place. This group comprised children for whom multiple consultations had been undertaken, but for whom a place could still not be finalised as a result of the complexity of their need.
- The Post 16 process saw 70% of families receiving an answer, compared to c.20-30% completed by the deadline last year, which is a 130% increase in the number of families receiving an appropriate service. As highlighted above, the Post 16 team faced a considerably more pressured process, exacerbated by a team comprised of a much higher proportion of new staff members. The level of improvement highlights that the gap between each Phase Transfer should continue to shrink on an expedited timeline, underpinned by a team with growing experience. By the start of the academic year, the position had improved to 88% of students being allocated an appropriate school, with 175

cases ongoing. As at the time of writing this report, 50 pupils remain without a formalised Kent Offer, with Officers continuing to prioritise ongoing consultations to find appropriate provision.

- As a result of these improvements, the Department for Education have removed Phase Transfer from their areas of concern under the Accelerated Process Plan. While this is a positive reflection of how quickly changes have improved Kent's offer, work and focus will not abate until all Phase Transfer processes are completed to 100% by the statutory deadline, as is achieved annually for the mainstream process.
- Kent received 120 appeals for 6 to 7 Phase transfer out of a cohort of 1,236, equivalent to 9.7%. 47 of the 120 appeals (39%) request an Independent setting. Due to the timing of this report, it is not yet possible to report on outcomes of these appeals.
- Work continues on equivalent data for Post 16, which can be made available in future reports.

- 7.6. When considering the significance of appeals numbers when determining parental satisfaction and the appropriateness of LA placement decisions, it is important to note that a parent's decision to appeal does not automatically mean that the decision made by the LA was wrong. In fact, where mediation identifies the LA's initial decision was incorrect, the place will be changed without the need for Tribunal.
- 7.7. Rather, Local authorities have a duty to consider the impact of a placement decision on the education outcomes of others, whilst also ensuring appropriate use of limited resources. This means that the LA's offer must ensure that the child's needs are met. Understandably, a parent's expectation is more likely to be focussed on finding the best possible outcome for their individual child, which in some cases will exceed an LA's statutory duty. It is therefore also understandable that parents may appeal if they cannot be offered a school of their preference.
- 7.8. Another useful comparator is the level of appeals present in the mainstream system, which is arguably a less complex decision and easier for a local authority to explain why a preferred school could not be offered. Last year, Kent received around 43,000 mainstream admissions application each year, which generated around 3300 appeals. This means roughly 7.7% of parents appealed their mainstream offer, compared to 9.7% appealing their SEN Phase Transfer offer. As parents have a greater expectation within the SEN Code of Practice that their preferred school is likely to offer, this small disparity suggests that Kent is not routinely offering inappropriate school places.

7.9. **Phase Transfer 2024/25** - Due to the timing of changes in SEN leadership, 2023-24 process did not benefit from a pre-delivery planning window. Officers were required to rely on experience from the mainstream process, combined with SEN knowledge to plan and deliver changes concurrently. To ensure a similar situation did not occur again, areas of weakness in the 2023 process were identified and mitigations were planned for future years as the timeline developed. The meant that main focus of the 2024-25 process was refinement, with more significant changes planned for the following year. Improvements include:

- The implementation of a dedicated Phase Transfer Data Co-ordination team to monitor the individual progress of every child and support SEN colleagues to ensure key deadlines are fulfilled.
- Better delineation of duties and availability of information across teams. This ensures that pupils new to the system are treated fairly and are not overlooked or offered placements in a different manner.
- Improvements in the organisation, evidence and delivery of school-based panels. Working with schools, we have monitored what more they need to engage with this vital part of the process.
- Refinements in advice provided to parents and planned improvements to final offer letters.

7.10. While the true test will be at statutory deadline points next year, there are already indications of improvements in parental engagement this year. The 2023-24 process, KCC reintroduced direct engagement with parents for their preferred school. By the early September deadline, 71% of parents had engaged with the LA, which increased to 85% this year. However, SEN have continued to support parents which has yielded even further improvements. By the end of the 2023 process, 78% of parents actively engaged, but by the 1 October this year, we'd reached 93% of the required cohort. This is an early indication of increase parental engagement and likely corresponding confidence.

7.11. **Phase Transfer 2025-26 and beyond** Officers continue to engage across the education sector and with parental representatives for areas of future development. These include:

- Improvements in the allocation of work to SEN team members to ensure that Phase Transfer and Annual Review duties do not remain a constant source of

negative internal conflict when prioritising caseloads.

- More direct parental engagement, including at SEN roadshows.
- Improvements in frequency of school engagement and training opportunities, to reflect the work undertaken in the mainstream space.
- Working with Post 16 providers to minimise the Code of Practice's shortcomings in relation to decision making being required to take place before exam outcomes.
- Availability of additional preference options.

8. Outcomes for Pupils with SEND

- 8.1. **Tests and examinations** – In addition to training and development, for maintained schools, SEN is considered through the individual school review process which takes place termly. Support is available through TEP school improvement advisers who consider SEN as part of wider school improvement and the SEN inclusion advisers look at provision planning for the SEND cohort as well as individual provision planning. These officers are also monitoring SRPs.
- 8.2. Data for the 2023-24 academic outcomes has not been finalised currently so 2022-23 data is included as Appendix 12. This shows that in the Early Years Foundation Stage, Key stage 1, Key Stage 2 and GCSE the gap for pupils with SEN is broadly in line with national data. At post 16, SEN Support gaps are small at post-16 and better than national, but the EHCP cohort's attainment is lower than National with greater gaps.
- 8.3. **School Attendance** - This section describes the work of the service as a whole to respond to questions raised by Members, as well as commenting on SEND in particular. Kent PRU and Attendance Service (KPAS) formerly known as PIAS (PRU, Inclusion and Attendance Service) aims to improve school attendance and reduce suspensions and exclusions for children and young people in Kent the Department for Education (DfE) 'Working together to improve school attendance' guidance that became statutory in August 2024. Over the past two years, the redesign of the service has ensured the local authority meets the demands of the statutory guidance and provides advice and guidance to all schools, including special and independent schools through designated link Attendance Officers (AO) and Exclusion Intervention Advisers (EIA).
- 8.4. The Attendance Working Group continues to run since its inception in Spring 2023 and includes representation from a range of KCC countywide professionals including Early Help, Social Care, Virtual School Kent (VSK), SEN, Educational Psychology and the Safeguarding Front Door. The group

aims to ensure attendance is 'everyone's responsibility' across the Children and Young People Directorate and beyond. There has been the successful implementation of the core responsibilities within the 'Working together to improve school attendance' guidance. Targeting Support Meetings (TSM) is an example where pupils and cohorts e.g. pupils with an EHCP and at risk of poor attendance, have agreed targeted actions and access to services. Under the new statutory guidance, the local authority will hold 1200 TSMs with schools over the 2024/25 academic year.

- 8.5. Best Practice Meetings to share effective attendance practice are held between schools. KPAS AOs facilitate these meetings which are available to all schools to discuss the DfE attendance guidance, local processes, and resources available for schools and families. Meetings are held either in person or virtually via Microsoft Teams, and in some areas, meetings have been tailored specifically to groups together such as special schools or PRUs. In addition, there has also been the development of practice and protocols linked to attendance for schools and other services. This includes updated KPAS Digital Front Door Pathways (including data returns for unauthorised absence and sickness) and updated Support Level Guidance linked to Safeguarding which now includes threshold support from Early Help for pupils/families with persistent and severe absence.
- 8.6. Under the new guidance, all schools are legally obliged to submit their daily attendance data to the DfE. The local authority is currently designing a School Absence Report scoresheet that identifies patterns of each school's attendance data including cohorts such as gender, SEN, FSM and social care involvement against district and national comparisons. A new Code of Conduct linked to the National Framework for Penalty Notices was published in September 2024 which works in conjunction with the electronic payment system of penalty notices which was implemented in September 2023. During the 2023/24 academic year over 12,000 penalty notices were issued, 90% of these were for an unauthorised family holiday.
- 8.7. There has also been the development of practice to improve attendance within other services, including trauma informed practices by VSK, EBSA training (phase 1 and 2) by the Kent Educational Psychology Service and intensive support guidelines for referrals to Early Help including holding strength-based conversations with families in school meetings. KCC remains a joint partner in a local attendance action alliance with Medway Council, which was formed following the creation of a national attendance action alliance led by the Secretary of State for Education.
- 8.8. Several resources have been produced for schools and partners which include a DfE attendance guidance checklist, attendance policy checklist, good practice guide, attendance contract templates (previously known as parenting contracts). Bitesize guides/fact sheets have also been produced for KCC family practitioners on themes such as children missing education, part time timetables and elective home education. Possibly, the most productive resource has been the development of a KCC School Attendance Handbook,

primarily designed for schools, which breaks down into greater detail the ‘Kent way’ of implementing the expectations in the DfE statutory guidance. The handbook includes reference to other related subjects such as suspensions and exclusions.

- 8.9. Many training opportunities have been accessed by over 250 family practitioners and presentations delivered to over 400 governors and 300 headteachers. Whilst attendance and persistent absence of all schools in Kent is improving, levels remain just below national average according to the most recent DfE data. However, the improvements in Kent schools are greater than those reported nationally. The impact of the work to date is displayed below when comparing 2022/23 against 2023/24 Autumn and Spring combined attendance data in Kent schools.

School Type – all pupils

	% Total Absences Autumn 2022/ Spring 2023	% Total Absences Autumn 2023/ Spring 2024	Difference Total Absences	% PA Pupils Autumn 2022/Spring 2023	% PA Pupils Autumn 2023/Spring 2024	Difference PA
Primary	6.4	5.8	-0.6	19.1	16.1	-3.0
Secondary	9.1	8.6	-0.5	26.8	24.7	-2.1
Special	14.6	14.4	-0.2	43.6	41.0	-2.6
Primary/Secondary	7.6	7.1	-0.5	22.6	20.1	-2.5

School Type - SEN Provision

School Tye	SEN Provision	2022/23 Autumn and Spring Combined		2023/24 Autumn and Spring Combined		DIFF Total Absences	DIFF % PA (10%)
		% Total Absences	% PA Pupils (10%)	% Total Absences	% PA Pupils (10%)		
Pri/Sec	N	6.7	19.3	6.1	16.4	-0.6	-2.9
Pri/Sec	K	10.9	34.0	10.5	31.1	-0.4	-2.9
Pri/Sec	E	13.6	37.7	13.7	36.4	0.1	-1.3
Pri/Sec	E & K	12.0	34.7	11.1	32.1	-0.9	-2.6
Primary	N	5.7	15.9	5.0	12.8	-0.7	-3.1
Primary	K	8.8	29.1	8.2	25.5	-0.6	-3.6
Primary	E	11.3	34.7	11.1	32.1	-0.2	-2.6
Primary	E & K	9.2	30.1	8.7	26.7	-0.5	-3.4
Secondary	N	7.9	23.3	7.4	20.5	-0.5	-2.8
Secondary	K	14.0	40.6	13.8	38.7	-0.2	-1.9
Secondary	E	16.8	41.6	17.0	41.7	0.2	0.1
Secondary	E & K	14.5	40.8	14.4	39.3	-0.1	-1.5
Special	E	14.5	43.2	14.2	40.4	-0.3	-2.8

8.10. **Suspension and permanent exclusions** - KPAS also continues its work regarding suspensions and permanent exclusions. Common themes are identified, and additional processes developed to support schools to ensure all interventions are exhausted and exclusion remains a last resort as detailed in the DfE guidance on suspensions and exclusions issued in August 2024. This includes the development of practices such as an inclusion intervention checklist, the appropriate use of directions off-site (alternative provision) and using inclusion champions to support schools. In addition, KPAS supports the work of CATIE (Countywide Approach to Inclusive Education). This includes the inclusive leadership programme, core training offer, whole school nurture approach provided by Nurture UK and Special School outreach work delivered by the Specialist Teaching and Learning Service (STLS) and Local Inclusion Forum Team (LIFT).

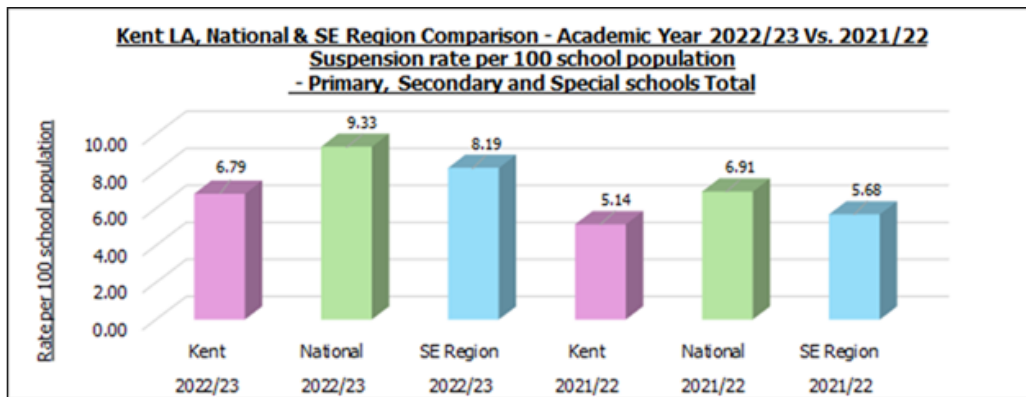
8.11. KPAS provides regular training to governing boards and academy trustees across the county's schools to ensure all cases of permanent exclusion are thoroughly scrutinised, as well as promote the use of timely data to address cases where suspensions are occurring on a regular basis. The link EIA support schools by:

- Providing advice on the DfE exclusion guidance and processes as well as behaviour policies.

- Sharing ideas as well as signposting to resources and services who may be able to support schools and pupils in promoting inclusion where behaviour is a concern.
- Attending meetings in schools with parents (and partner agencies where involved) about individual pupils experiencing suspensions or at risk of permanent exclusion.
- Delivering training to governors and senior leaders on responsibilities in relation to exclusions set out in the DfE guidance.

EIAs represent KPAS at a range of forums such as the Local Inclusion Forum Team (LIFT), LIFT Executive, In Year Fair Access panels and District Contextual Safeguarding Meetings.

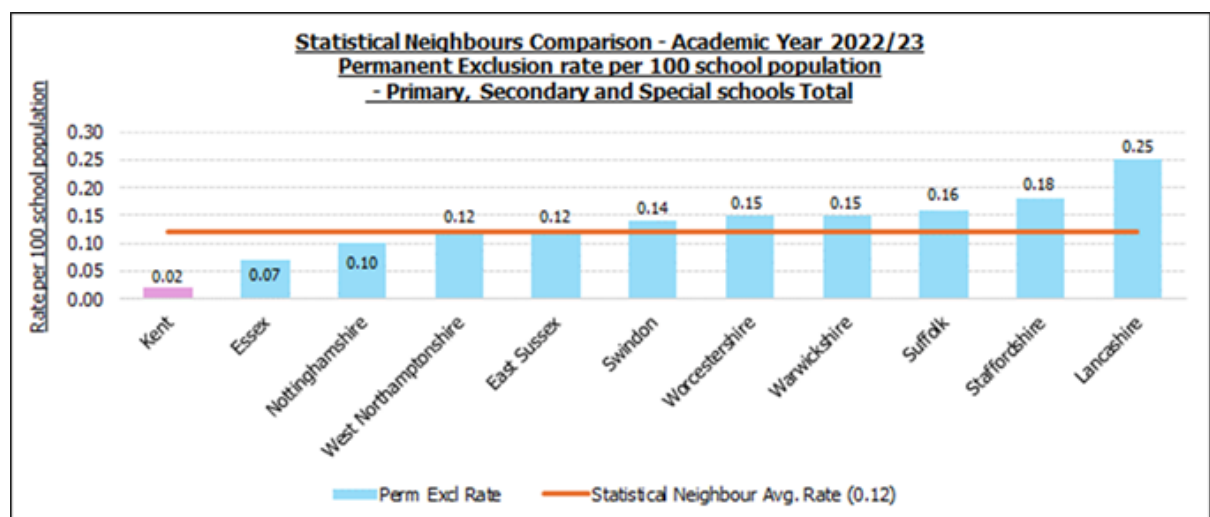
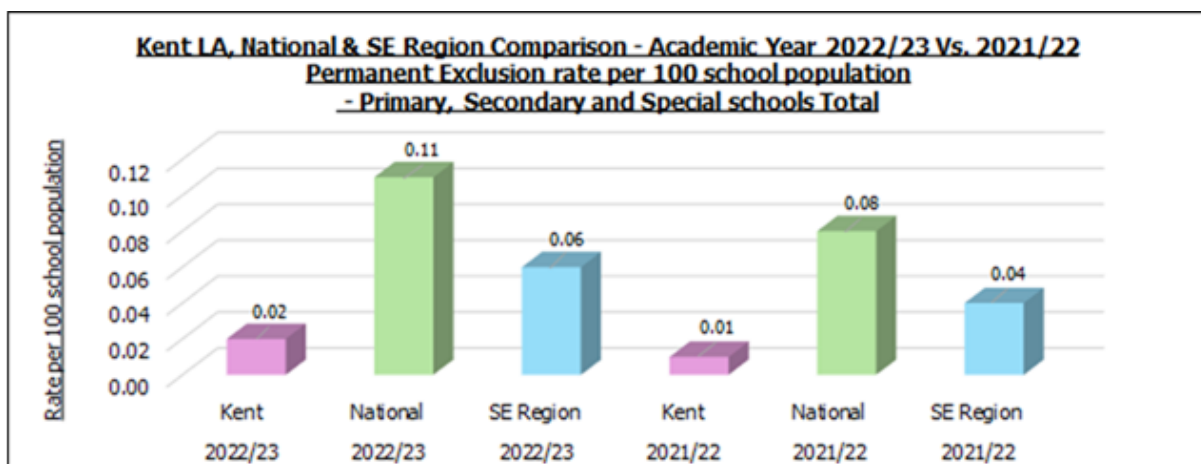
- 8.12. Most recent published DfE figures from 2022/23 academic year highlight that permanent exclusions and suspension rates (per 100 school population) in Kent schools remain well below equivalent levels nationally, within the South-East region and in comparison to our statistical neighbours. This is positive, however more granular analysis shows that some MATs are responsible for a disproportionately high proportion of permanent exclusions, and this has been raised with the DfE as a concern.
- 8.13. In 2023/24 academic year, 23 pupils with an EHCP were issued a permanent exclusion, 3 of those attended a special school. For the most recently reported DfE statistics regarding permanent exclusions in special schools, Kent remains well below the national and southeast regional rates.
- 8.14. In the same period, 14% of suspensions in Kent schools were issued to pupils with an EHCP. Of those suspensions, over 50% of pupils have social, emotional and mental health (SEMH) as their primary need. As a result, a SEMH toolkit has recently been launched for mainstream schools and classroom settings. Created by The Education People, this toolkit has been developed using a number of key DfE documents, research and professional bodies, and supports the eight principles to Public Health England working with the Department of Education 'Promoting Children and Young People's Mental Health and Wellbeing' (2021), Kent Resilience Hub's 'Whole School Approach' and KCC's SEN Mainstream Core Standards.



Suspension 'Primary, Secondary and Special' school rate per 100 school population

Commentary:

Kent below National and SE Region rates. Rate increase seen for Kent, National and SE Region on 2021/22.



Commentary:

Kent rate below all Statistical Neighbour Local Authorities. Kent below 0.12 average rate.

9. Appeals & Tribunals

9.1. The SEND Tribunal is part of the system of courts and tribunals which makes decisions in appeals and claims. SEND Tribunal hears cases which involve appeals against decisions of local authorities about children with special educational needs. Parents, carers or young people can appeal if the local authority:

- Refuses to arrange an EHC assessment of the child or young person's special educational needs, following a request by a child's parents, young person or school, college:
- Refuses to issue an EHC Plan for the child or young person after completing an EHC assessment.
- Refuses to arrange an EHC reassessment of the child or young person (following a request by the child's parent, young person's or school, college) if the local authority has not carried out an EHC assessment in the last six months:
- Decides to stop maintaining an EHC plan.
- Decides not to amend the EHC plan following an annual review.
- Decides not to change the EHC plan after carrying out an EHC reassessment or has finalised, or has changed a previous EHC plan, and you disagree with one or all of the following.
- The Section which specifies the child or young person's special educational needs in Section B of the EHC Plan.
- The Section which specifies special educational provision in Section F of the EHC Plan.
- The school/college/institution or type of school/college/institution named in Section I of the EHC Plan or type of school named in Section I of the EHC Plan.
- The local authority not naming a school/college/institution in Section I of the EHC Plan.

9.2. SEND Tribunal cannot deal with a case if the issue is the way the local authority carried out the EHC assessment, or the length of time that it took; how the local authority or the school or college is arranging to provide the help set out in the EHC plan; the way the school or college is meeting the child's or a young person's needs under SEN Support; the outcomes in Section E of the EHC plan or any disputes about the wording of Sections A, J, K of the EHC plan. SEND Tribunal must receive the appeal within two months of the date

on the letter from the local authority giving you their final decision. If this deadline is missed, a Tribunal Judge may extend the time for making the appeal.

- 9.3. Parents can submit an appeal to SENDIST using an online form that requires evidence of the Local Authority's decision, including the date of the decision and a mediation certificate. In the case of parental notification of disagreement to a Local Authority officer there is a recommended resolution process which involves the following steps:
- Meeting/discussion with the local named SEND officer, then
 - Involvement of a mediation adviser to try to reach a resolution.
- 9.4. If the issue is not resolved, then an appeal can be made to SENDIST which makes its decisions after considering all of the evidence either through a paper-based process or a Hearing. Documents with evidence from both sides are submitted before the hearing. Parents must consider mediation before lodging an appeal to the Tribunal unless the appeal is only about which school a child should attend. When a parent contacts the provider of mediation, a mediation adviser arranges a meeting between the parent and a Local Authority Officer with the aim of discussing the problem and bringing about a resolution. At the end of the meeting parents are given a mediation certificate. A national shortage of mediation support can impact the availability of this support. The SENDIST decision is legally binding and can only be appealed on a point of law and permission must be given by the tribunal for either parents or a local authority to make the appeal. The purpose of the LA Tribunals team is to act on behalf of KCC through the Tribunal process.
- 9.5. KCC share's the ambition of the Government's SEND reforms in 2014 under the Children and Families Act to reduce the need for parents to have to fight to get support. The Local Government Association, which represents councils across England, in its paper 'Agreeing to disagree', research into arrangements for avoiding disagreements and resolving disputes in the SEND system in England Research undertaken by Isos Partnership Ben Bryant, Natalie Parish, Karina Kulawik Research' commissioned by the Local Government Association, called on the Government to urgently address this in its forthcoming review of the SEND system, so parents and carers avoid having to take cases to tribunal.
- 9.6. The LGA report, in full here
https://static1.squarespace.com/static/5ce55a5ad4c5c500016855ee/t/6221ee346c97bb4c0c754891/1646390841226/220222_LGA_SEND+disputes_report

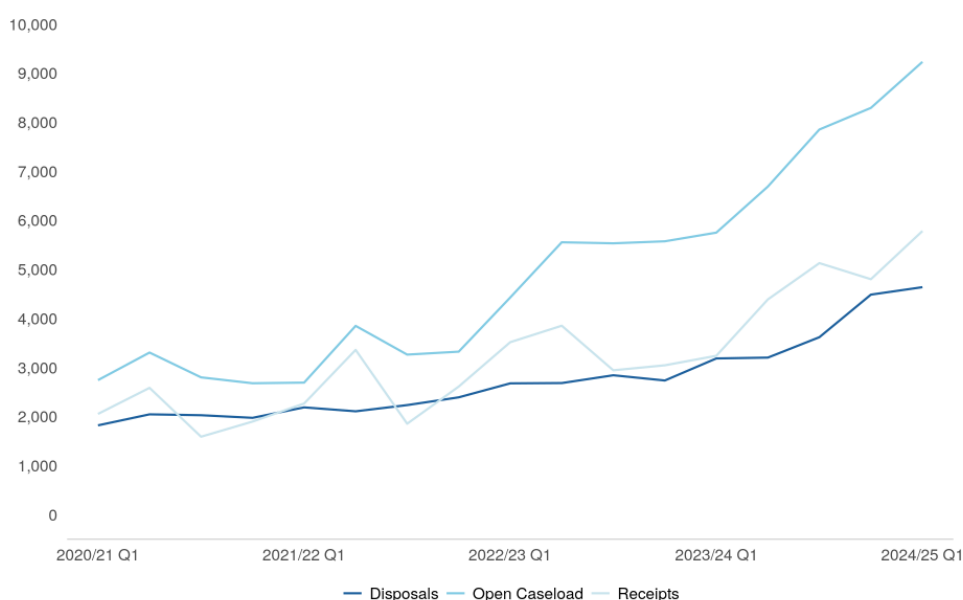
[FINAL.pdf](#) warns the SEND system has instead become more adversarial, with new figures in the report showing:

- The number of appeals to tribunals over SEND disagreements has more than doubled since the reforms, rising by 111 per cent between 2013/14 and 2020/21.
 - Over 9 in 10 appeals are decided in favour of families, overturning the original decision made by councils. Prior to the reforms, 83 per cent of tribunal appeals were made in favour of the appellant.
 - Before the reforms in 2013/14, more disagreements were resolved before they got to a formal tribunal hearing with around a fifth of appeals (21 per cent) decided at a tribunal, whereas now the figure is almost two thirds (64 per cent).
 - The proportion of decisions appealed has gone up from 1.16 per cent at the time of the reforms to 1.74 per cent in 2020.
- 9.7. The research found that the main factor behind the rise in the number and rate of appeals was not councils failing to meet their legal duties under the Act, but instead was reflective of deeper, fundamental problems that need to be addressed within the SEND system. The report also raises concerns about a growth in unregulated organisations encouraging and advising families to appeal. Most councils reported that tribunal appeals are more likely to come from more affluent families, and less likely from those from more deprived backgrounds, highlighting a potential lack of equity of access to dispute resolution. While councils fully recognise the right of families to take appeals to tribunals, the LGA's view is the huge number of cases is indicative of fundamental imbalances in the SEND system.
- 9.8. The LGA called on the Government to use the SEND review – announced in 2019 – to significantly reduce the need for such a high number of cases to be taken to taken to tribunal, by making fundamental changes to the SEND system. This could involve providing greater clarity around the level of need that would require SEND support; making mainstream education settings more accountable for SEND inclusion and enabling decisions over SEND provision to be made jointly by all those responsible, such as health and care bodies, and not just councils.
- 9.9. The report identified key challenges to avoiding disagreements and resolving disputes. These challenges emanating from the wider SEND system, of which disagreements and disputes are the symptoms. Challenges identified:
1. Key parts of the SEN statutory framework, particularly in relation to when to carry out an EHCNA, are vague and circular.

2. Expectations of inclusion and SEN support in mainstream education are not sufficiently defined nor upheld.
3. Growing demand for statutory SEND services reduces preventative SEN support.
4. Growing demand on statutory SEND services reduces capacity for high-quality casework and co-productive, person-centred planning.
5. The SEND system remains too dependent on education, and has not yet delivered a unified education, health and care approach.

10. National Data

Figure 10.1.1: Special Educational Needs and Disability (SEND) receipts, disposals and open caseload Q1 2020/21 to Q1 2024/25 (Source: Tables S_2, S_3, and S_4)



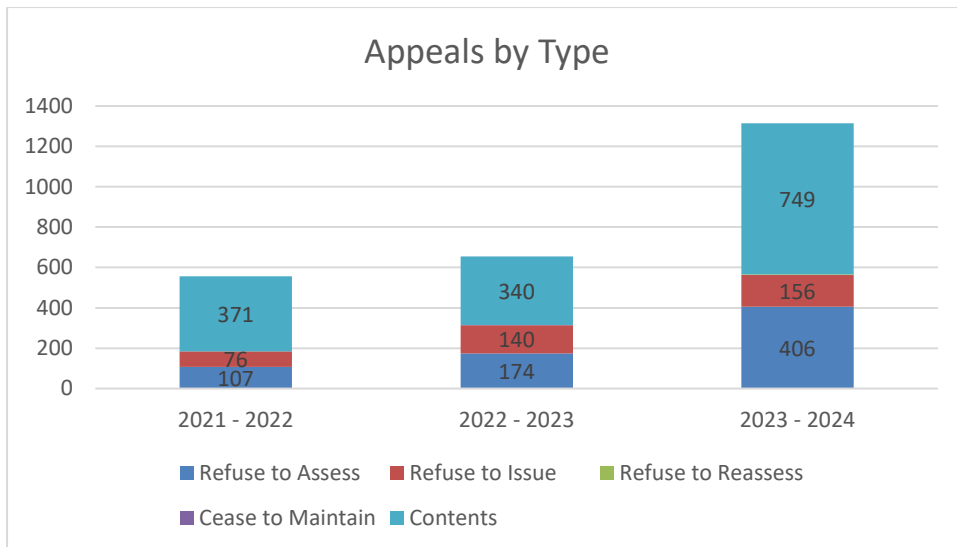
Nationally, SEND received 18,000 receipts in academic year 23/24, the highest amount in any year in the timeseries and an increase of 31% compared to the previous year. Kent tribunal receipts for the same period rose by 59%.

- 10.1. The Administrative Justice Council (AJC) is the oversight body for the administrative justice system in the UK, advising government and the judiciary on the development of the system published a report in July 2023 which can be seen here [SEND-Improving-Local-Authority-Decision-Making.pdf](#). Between 2011 and 2022, the number of appeals registered has increased by over 210.7%. They found The Special Educational Needs and Disability Tribunal ('the Tribunal') upholds 96% of the appeals it hears (in favour of the appellant i.e. parent/young person).

- 10.2. Differences in data collection and collation methodology between national and local mean that direct comparisons are difficult, figures held for Kent show in 2023 78% appeals were upheld in their entirety, with 79% appeals in 2023/2024 upheld in their entirety.
- 10.3. The AJC described that an increase in the number of appeals being registered does not necessarily indicate that LA decision-making is getting worse. Increases in appeals could be due to positive factors such as greater awareness among parents and young people of their rights and how they can go about securing them. The increase in appeals could also at least in part to be due to the change by the Children's and Families Act 2014 whereby the SEND framework was extended to children and young people from birth to age 25. In addition, the National Trial extending the tribunals' power to appeals on health and social care. There is not a straightforward relationship between volumes of appeals and the quality of decision-making. That said, parents and young people should not have to resort to the Tribunal to secure the educational provision to which children and young people are entitled. That they increasingly need to do so and that, when they do, their chances of success are extremely high, raises legitimate concerns about current approaches to decision-making in LAs.
- 10.4. **Appeals registered in Kent academic year 2023/2024** - There is a discrepancy between the proportion of children identified as having such complex needs that they require an Education, Health, and Care Plan in Kent when compared to that same proportion across England. That discrepancy has grown to Kent having around 20% more than the national average over the last two years, although the gap between Kent and national data is beginning to reduce.
- 10.5. Local Authorities are required to advise parents of their right to appeal any decision to refuse any of the following:
- To assess a child or young person's educational, health, and care (EHC) needs
 - To reassess their EHC needs
 - To issue an EHC plan
 - To change what's in a child or young person's EHC plan
 - To maintain the EHC plan.

In addition, parents can also contest the granular detail of many of the main sections of their child's EHC Plan. This means that for every child and young person, there are 5 decision points where an appeal can be lodged.

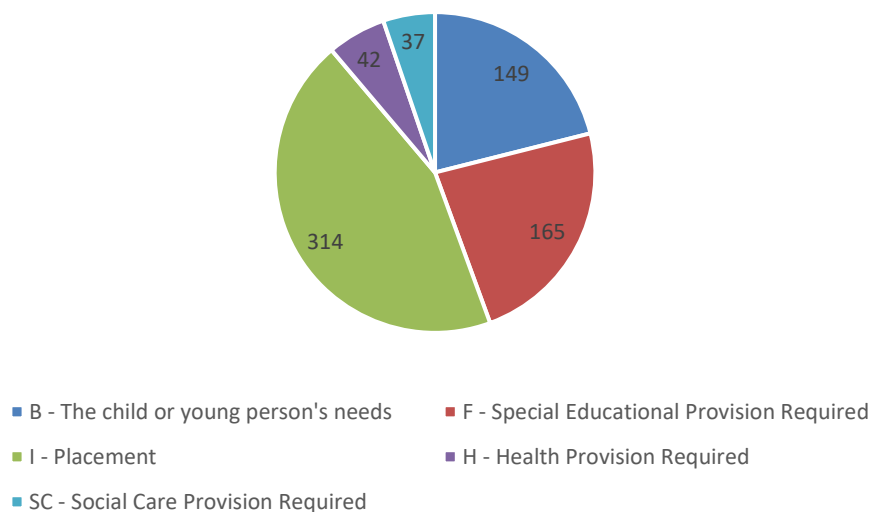
- 10.6. Between the two-year period of April 2022 and April 2024, Kent County Council (KCC) processed somewhere in the region of 8000 assessment requests and completed around 40,000 annual reviews. It follows that there are hundreds of thousands of individual decisions made each year that are subject to the potential for appeal and any data should be considered within that context. Over the two-year period under consideration, 440 tribunal hearings were considered against the Kent Local Authority. Of those, 309 went fully in parents' favour following a decision. (See also reference to academic year 2022/2023 and 2023/2024 above where data shows the Tribunal upholds 96% of the appeals it hears (in favour of the appellant) but in Kent it's circa 78%).
- 10.7. KCC has initiated a data deep dive into tribunal appeals received during the academic year 23/34. This is to monitor the impact of the changes to decision making made to the SEN system in Kent. As stated, the AJC cautions around taking tribunal data alone indicating strengths or weaknesses in a decision-making system due to the number of factors involved, however this data can be considered a useful indicator as part of a series of measures to look at how successful changes have been.
- 10.8. Kent appeal data below is based on data captured within the Tribunals Database. This is a manual database that is maintained by the Tribunals Team and will be subject to data quality risks associated with manual spreadsheets. Care has been taken to mitigate these. Further information around the next steps for data sets is set out later in this report.
- 10.9. **Kent Appeal Data** - The volume of appeals received 2023/2024 has increased by 665 from 2022/2023.



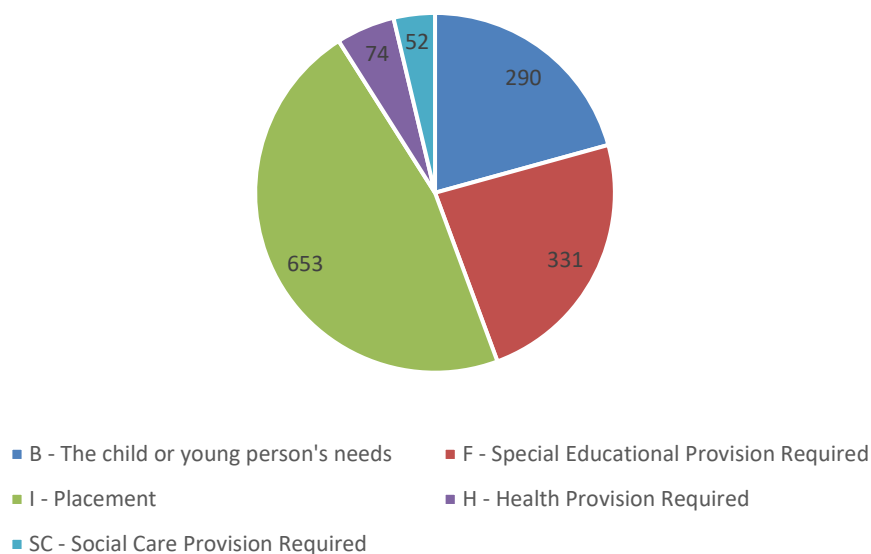
*Content will be section B (Needs), Section F (SEN provision) and/or Section I (placement).

10.10. There were increased volumes of appeals across all EHC plan sections from 2022/2023 to 2023/2024, with proportionately similar distribution across sections compared with 2022/2023. i.e. No one section's proportion of appeals has increased ahead of others. This is to be expected. More robust decision making during the EHC needs assessment (involving a greater number of professionals) has led to an increase in 'no' to assess and 'no' to issue, both appealable. It is therefore useful to separate contents appeals – the reasons for appeal will be based on different decision-making mechanisms and may relate to different processes.

No. of Appeals relating to each Section 2022/23



No. of Appeals relating to each Section 2023/24



- The deep dive found 47% of content appeals received in 2023/2024 included an appeal in relation to Section I, compared to 44% in 2022/2023.

Of Section I appeals received during 2023/24:

- 25% relate to pupils in Year 6, down from 35% previous year, despite an increase in volume.
- 10% relate to pupils in Reception, up from 6% previous year.
- 9% relate to pupils in Year 11, up from 4% previous year. This cohort also saw the greatest % increase up 367% from 12 to 56.

10.11. **Next steps** - External and peer reviews have been commissioned to support the SEN improvement journey and in 2022-23 an external review was undertaken to identify key areas for development in appeals and tribunals. Development and improvement of SEN services is part of a phased improvement plan. Whilst focused development in this area of the SEN services has not been wholly prioritised until now, Kent data against national figures demonstrates that the work undertaken by the service over the last 18 months has stabilised and provided a more stable footing on which to build further improvements to the tribunal team going forward.

11. Financial Implications

- 11.1. The overall progress documented above must also be considered in the context of the financial situation. SEN services are funded from a combination of Council resources (for staffing & transport) and High Needs Block of Dedicated Schools from the Department of education (for SEN early years/school/post 16 services).
- 11.2. As part of the 2024-27 Medium Term Financial Plan, the Council committed a further £2m to ensure sufficient staffing capacity to deliver improvements in both assessments and annual reviews. In addition, the Council has covered historic overspends and anticipated further growth & costs of SEN Home to School Transport based on projections. The latest financial monitoring, reported to Cabinet in November, suggests improvements and rigour throughout the SEN system are also having a positive effect financially on transport budget, with a £3.5m underspend being reported.
- 11.3. However, there are still significant challenges and work required to achieve the same outcomes in respect of the High Needs Spending related to education placements and support services. From 2018, SEND spending rapidly escalated, with an increasing reliance on specialist school places rather than mainstream education, resulting in Kent becoming a significant outlier in the placement of children with SEN, and if this level of expenditure continued completely unmitigated, the financial projections indicated a potential deficit of almost £700 million by 2027-28.
- 11.4. Even after the consideration of actions already planned, many of which build on the activity outlined in the Accelerated Progress Plan (as reported on in September 2024), there would still have been a considerable deficit of c£220m. So, to avoid the prospect of dramatic and drastic cuts to SEN services in schools to recover this outstanding debt, KCC entered into the Safety Valve agreement with DfE which has secured additional funding of

£140m for Kent over five years, subject to KCC taking action to develop a more financially sustainable system. KCC has also contributed £80m to addressing the cumulative deficit. By March 2025, the council will have received £85m of the £140m from the DfE and made £46.5m of the £80m contribution.

- 11.5. Since entering the Safety Valve in March 2023, there have been challenges around ongoing high inflation, responding to the impact of national changes, such as high increases in national living wage, along with continual high demand for services which have masked financial progress achieved to date. Forecast spending growth for 2024-25 does show early signs of slowing with year-on-year spending estimated to increase by 7% whilst in previous years it has been over 10%.
- 11.6. Positive improvements in both the assessment and annual review process is now enabling the Council to have a better understanding of the overall demand for SEN in the county to enable more robust financial planning and targeted actions. However, the pace of change has been slower than expected, with the impact of significant changes in the school system yet to be fully realised (including Communities of schools, Special School Review, SRP review, early years review). As with the majority of local authorities, this level of deficit on High Needs/SEND represents a considerable financial risk to KCC.
- 11.7. Recent government announcements have committed a further £1 billion in respect of High Needs, we are awaiting confirmation of Kent's share. Whilst this extra funding is welcome, the council cannot assume the Government will continue to "bail out" councils and that we have a responsibility to secure long term financial sustainability within the funding made available to us to deliver future SEN services.

12. Recommendation(s)

Recommendation(s):

The committee is asked to note the contents of the report.

13. Background Documents

13.1. References:

[220222 LGA SEND+disputes report FINAL.pdf](#)

13.2. Appendices:

Appendix 1. Voice of the Child Young Person Form with Widgit Symbols updated 9th September

Appendix 2. Lived Experience Engagement and Employment Framework.

Appendix 3. Kent and Medway NHS How the voices of children, young people and families are gathered and how they are used to improve their experience and outcomes.

Appendix 4. KCC PACT record of engagement

Appendix 5. PCP update

Appendix 6. Review of Mainstream Core Standards

Appendix 7. SENCO Conference 2024- Celebrating Inclusion Evaluation

Appendix 8. CATIE Annual Report 2023-24

Appendix 9. PowerBI Snapshots one district

Appendix 10. AET progress report is included as

Appendix 11. An Evaluation Report on SEN Autism/Neurodevelopmental interventions in Kent

Appendix 12. SEND outcomes 2022-23

13.3. Contact Details:

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