

From: Beverley Fordham, Cabinet Member for Education and Skills
Sarah Hammond, Corporate Director of Children, Young People and Education

To: Scrutiny Committee, 16th July 2025

Subject: SEN Update - Quarterly reporting

Classification: Unrestricted

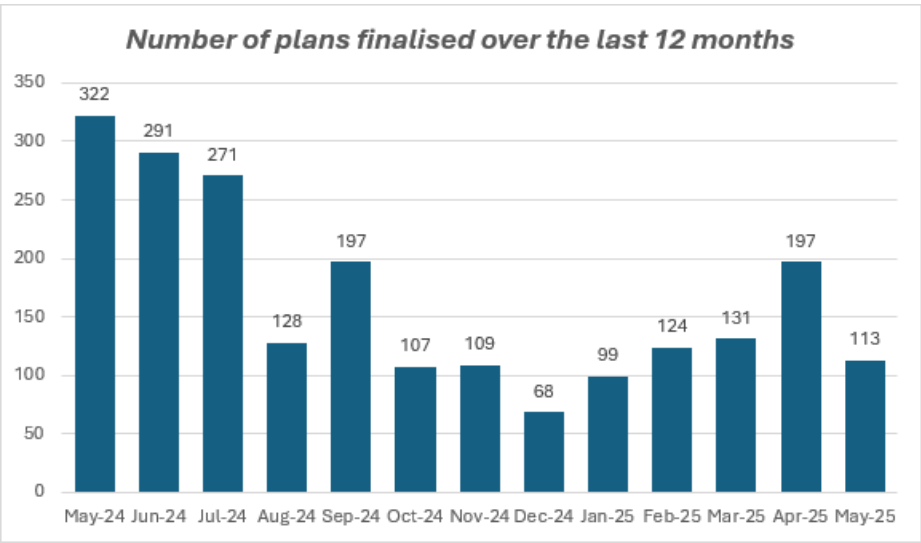
Summary: This report provides the quarterly update on key performance indicators.

Recommendation(s): The committee is asked to note the report.

1. Key Performance Indicator Update

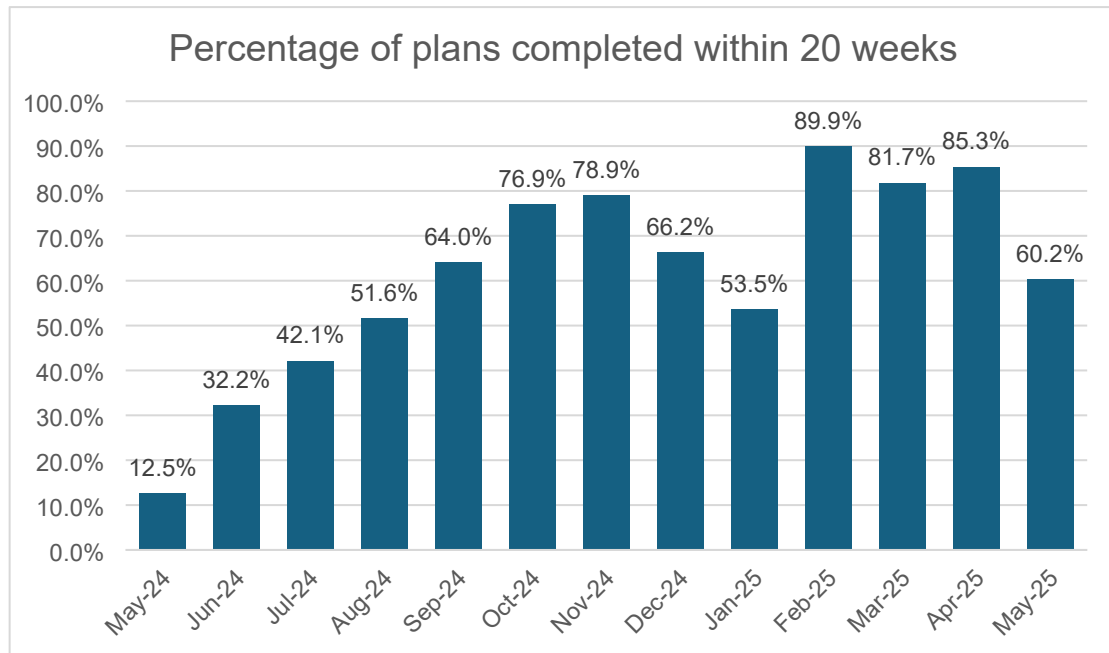
1.1 Number of Assessments Completed Over the Last 12 Months - The overall decrease in plans reflects the successful processing of the significant backlog of children and young people waiting to be issued with a plan.

May-24	June-24	July-24	Aug-24	Sept-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	March-25	April-25	May-25
322	291	271	128	197	107	109	68	99	124	131	197	113



1.2 Percentage of Plans Completed within 20 Weeks – May 2025 Dataset

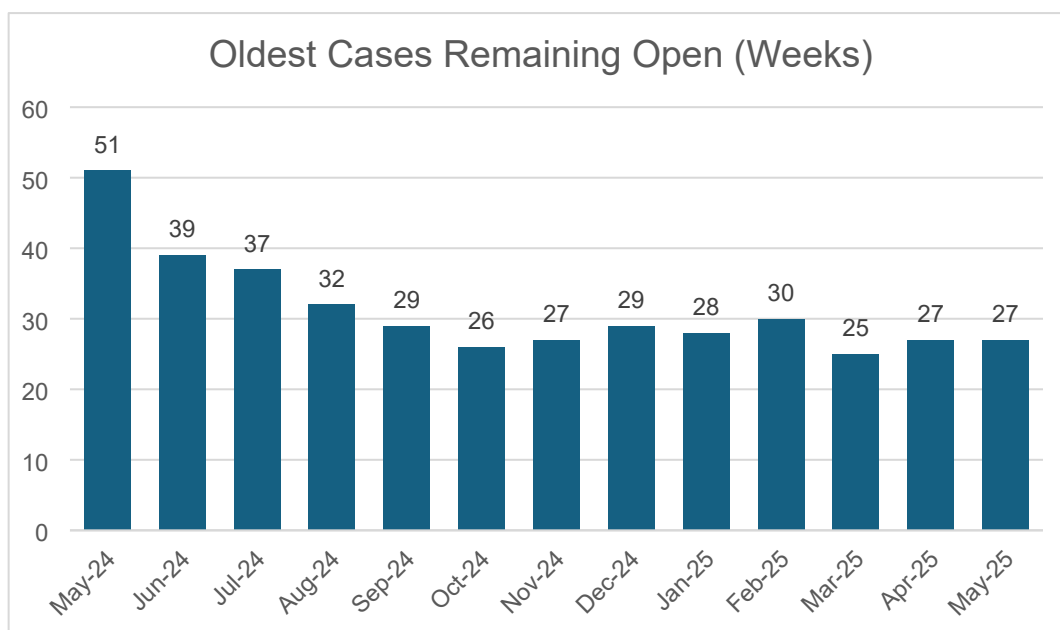
May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25
12.5%	32.2%	42.1%	51.6%	64.0%	76.9%	78.9%	66.2%	53.5%	89.9%	81.7%	85.3%	60.2%



Following three consecutive months of completion of EHCPs within 20 weeks being 30+% above the national average, there continues to be a level of volatility in this indicator. This reflects higher than predicted Requests for Assessment being received by KCC particularly in March (261 received), April (289 received) and May (245 received) and challenges particularly in the capacity of the Educational Psychology Service, where adjustments are being made to increase productivity.

1.3 Oldest Cases Remaining Open (Weeks)

May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25
51	39	37	32	29	26	27	29	28	30	25	27	27



Some EHCPs are more complex and in order to ensure all the relevant evidence is considered, the statutory deadline cannot be met. KCC's work on ensuring a high quality EHCP does mean for a few children and families, there is a longer wait to have an EHCP issued than the statutory 20 weeks. The numbers continue to be carefully monitored to ensure there is good reason for not meeting the deadline. Again, this is an indicator where we expect monthly fluctuations. Monthly numbers have been relatively stable over the last 6 months.

1.4 Percentage of Annual Reviews completed

Oct 23	Nov 23	Dec 23	Jan 24	Feb 24	Mar 24	Apr 24	May 24
39.8%	42.6%	45.1%	48.6%	51.1%	51.9%	54.8%	58%

Jun 24	Jul 24	Aug 24	Sep 24	Oct 24	Nov 24	Dec 24	Jan 25	Feb 25	March 25	April 25	May 25
60.2%	62.8%	64.4%	65.3%	65.8%	55.4%	64.0%	59.1%	64.7%	62.3%	57.1%	48.1%

1.5 Annual Reviews - Once a child or young person has been issued with an EHCP, a review of the plan should take place annually, or potentially more frequently in the Early Years. A review can also 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. The review generally takes place in the education setting or school. For children and young people who are educated other than at school or college or are

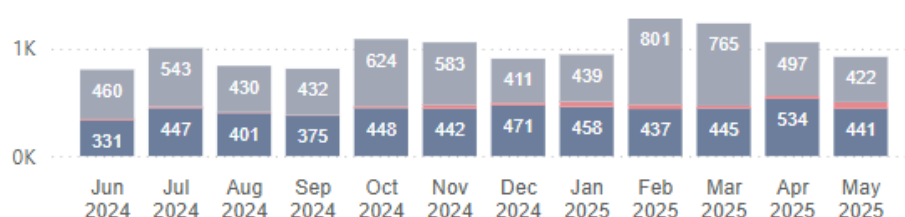
Electively Home Educated, they will have their annual reviews arranged and chaired by a case officer at the Local Authority.

- 1.6 Good progress was made in clearing the backlog of Annual Reviews, but the relatively poorer performance in April and then in May is due to changes in deployment of staff in the SEND workforce. Performance is expected to improve again from June.

Annual Review Completions Made by Type by Outcome

Number of annual review completions made

● No Amend ● Ceased ● Amend

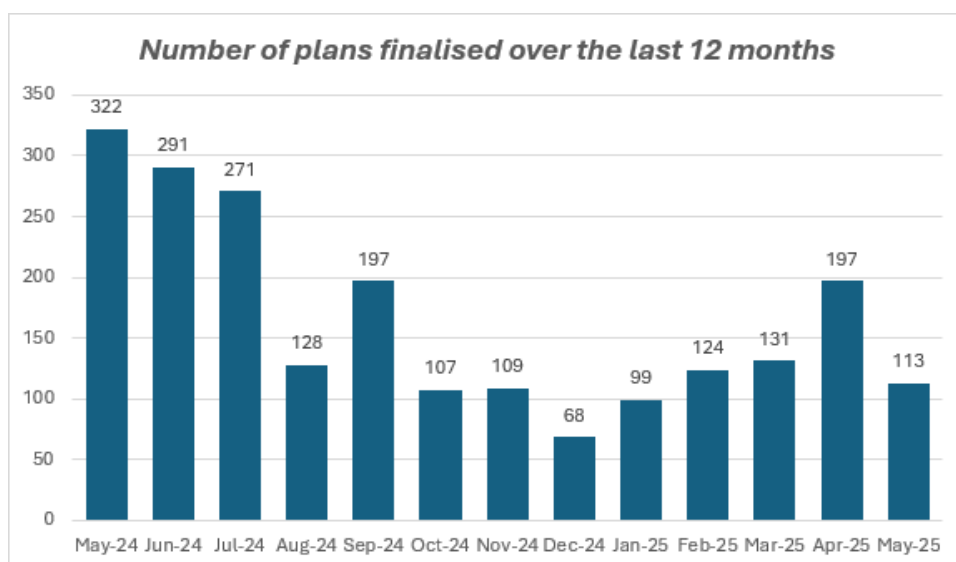


Current MMM YYYY No Amend Ceased Amend

Current MMM YYYY	No Amend	Ceased	Amend
Apr 2024	334	11	376
May 2024	320	8	403
Jun 2024	331	14	460
Jul 2024	447	15	543
Aug 2024	401	9	430
Sep 2024	375	6	432
Oct 2024	448	17	624
Nov 2024	442	34	583
Dec 2024	471	25	411
Jan 2025	458	48	439
Feb 2025	437	42	801
Mar 2025	445	25	765
Apr 2025	534	28	497
May 2025	441	61	422

1.7 Number of Plans Finalised in the Last 12 Months

Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	March 25	April 25	May 25
325	278	256	322	291	271	128	197	107	109	68	99	124	131	197	113



2. Feedback from DfE and NHSE assessment

2.1 The most recent assessment event by the two Departments took place on Friday 31st of January. The follow up letter was received in April 2025 and is included as Appendix 1. The DfE and NHSE commented “During the meeting, the local area demonstrated a collective determination to continue making sustainable improvements to Kent’s SEND services and to the lives of children and young people with SEND. The evidence provided in advance, alongside the additional information from partners, demonstrated a range of actions being taken to accelerate improvement.” The letter shows the number of projects from the Accelerated Action Plan that are being formally monitored have now reduced to 46 actions from 116. Officers are continuing to work on completing the outstanding actions and preparing for the next assessment which will take place in the Autumn.

3. Developing a sustainable school system in Kent including the special school review

3.1 Work is continuing with mainstream schools and settings extend the existing effective SEND inclusion practice across the county through the Communities of Schools model of delivery which went live on 1st April 2025, more information can be seen here <https://www.kelsi.org.uk/special-education-needs/inclusion/localities-model-for-school-inclusion/communities-of-schools>

3.2 Representatives of all schools, including special schools, continued to work with Dr Alison Ekin of Valley Invicta Multi Academy Trust to develop the final draft of the SEND continuum of Needs and Provision (<https://www.kelsi.org.uk/news-and-events/news/primary/continuum-of-need-and->

[provision](#)) which provides greater clarity over the expectations of mainstream, Specialist Resource Provision, Special School Satellites, Pupil Referral Units and Special Schools in educating children and young people with special and additional needs. The contents will be finalised when the next schools White Paper is published, expected in the autumn.

3.3 The KCC Education Accessibility Strategy 2025-28 is live <https://www.kelsi.org.uk/special-education-needs/inclusion/education-accessibility-strategy-2025-28> with supporting School Access Initiative and Policy <https://www.kelsi.org.uk/special-education-needs/inclusion/school-access-initiative-sai-policy-and-procedure> Whilst the strategies and policies may be new, KCC's commitment to improving accessibility has been supported by prioritising the use of capital funding. Over the 5-year period 2019-24, £3,152,274 was spent on 83 school accessibility projects. This investment (together with other support) has enabled children and young people with physical disabilities and/or complex medical needs to access education at a local school in their community. Investment going forward will be used more strategically to develop accessible school buildings across the county so that all families have improved access to an adapted school locally.

3.4 There are currently 72 Specialist Resource Provisions operating in 68 mainstream schools. Following a review of the existing provisions and robust pupil data it has been identified there would be a clear benefit to put a total of 55 new SRPs in place over the next three years across the four areas of Kent.

Overall total planned SRPs:

	Primary	Secondary	Total
East	4	5	9
North	12	7	19
South	9	6	15
West	5	7	12
Total	30	25	55

3.5 Each one of these SRPs is subject to an individual business case being considered by CYPE Cabinet Committee and decision by the Cabinet member. The two highest incidences of need are neurodiversity (autism, ADHD /communication and interaction) and Social, Emotional and Mental Health. KCC has invested significantly in developing school capacity and expertise through work disseminating the Autism Education Trust materials and more recently in partnership with the Integrated Care System on This is Me programme as well as the DfE funded Promoting Neurodiversity in Schools (PINS) pathfinder. Gaps

in existing SRP provision for children and young people who are neurodivergent have been identified through KCC's work on school sufficiency and proposals will be brought forward to address these gaps.

3.6 With regard to SEMH, the new SRPs planned will make an important contribution to developing capacity to better meet SEMH needs.

3.7 With regard to special schools, officers have visited and met with leaders and staff in all the Kent special schools during the academic year. Since taking up the role of Special school lead in January 2025, the Assistant Director for SEN Statutory Services has visited Valence, The Orchard, Stone Bay, Aspire, Laleham Gap, Foreland Fields, Nexus, Oakley, Snowfields, Goldwyn, Broomhill Bank East and Broomhill Bank West and The Beacon special schools, with further plans to visit the remaining schools planned by the end of term. In addition, Loca Area Provision meetings have been established, which bring together Special Schools, Specialist Resource Provision and mainstream schools to explore opportunities and challenges in their local area. The first of these has been held, with further meetings focusing on Special schools and SRPs working together. These are co-planned with ADEs and the schools themselves to ensure the information shared and topics explored are appropriate.

3.8 Proposals to make changes to school SEND funding were considered by KCC CYPE Cabinet Committee in January 2025 - [\(Public Pack\)Supplementary Agenda No.1 Agenda Supplement for Children's, Young People and Education Cabinet Committee, 16/01/2025 10:00](#). Since the decision was made, officers have worked with the KsENT Executive and focused groups of headteachers which were established to agree the funding descriptors.

3.9 The two KsENT co-chairs and AD for SEN Statutory Services meet regularly to co-plan meetings for the next academic year. Members of the placement team and tribunal team hold regular problem-solving meetings with special school staff to manage placements and tribunal appeals. Commissioning meetings with the Special schools are planned again for September 2025 to prepare for the September 2026 cohort intake, in a similar way to the approach taken in the autumn of 2024.

3.10 The Assistant Director for Quality Assurance and Strategy and the Assistant Director SEN Statutory Services thoroughly enjoyed a visit to the KSENT Games, where a number of Kent Special School pupils were attending a joint Sports Day, experiencing a wide range of sports including wheelchair basketball and Judo.

3.11 With regard to the special school review, the report which was considered in November 2024 CYPE Committee and subsequently at Scrutiny Committee in January 2025 when the decision was called in included an explanation of the change process for schools –

“5.6 Before final decisions can be made whether or not to change the designations (i.e. the type of SEN provision) of maintained special schools, KCC will need to publish proposals in a statutory notice, and follow the steps required by the statutory prescribed alteration procedure. These public notices will specify the alterations proposed for individual schools through the authority delegated to the Director of Education and SEND.”

“5.9 A part of the prescribed alteration process, a formal consultation and representation period will run for 4 weeks following publication of the statutory notice. Any representations and/or objections received will be considered by KCC before a final decision is taken on whether to proceed with the changes in the type of special educational needs for which the school is organised to make provision. If the changes are adopted, then the accompanying admissions guidance for the schools will also be amended to reflect the change.”

“5.12 It is important to note that if decisions are made to proceed with the prescribed alterations for the maintained special schools and/or if the Secretary of State approves the changes in designation to special Academies, KCC (and/or Academy Trusts) would amend the applicable admission guidance to align with those decisions at a later stage. This progression towards updating the admission guidance for the seven special schools proposed to undergo a designation change is dependent on the outcomes of these initial decisions.”

3.12 Following the Scrutiny call in of the decision, officers have been working with Broomhill Bank Special School to ensure KCC is able to commission the most appropriate provision for local children and young people. The first changes at the school will be considered by CYPE Cabinet Committee in July 2025. Additionally, KCC has just launched a consultation to increase the number of day places at BHB and to develop the school to create a curriculum offer to support children and young people with a wider dimension of need. That second proposal will be considered by CYPE CC in the Autumn. Reports with recommendations on changes to Parkwood Hall and Aspire special schools will be drafted for consideration at CYPE Committee in the autumn.

4. Safety Valve

4.1 KCC's latest monitoring report to Department for Education (DfE), reported that Kent was likely to be £10m off target for the planned accumulated deficit position as of March 2025. We further reported we were not confident of fully recovering the financial position partly because of the delay in the building of two new special schools by DfE, unanticipated rapid increase in costs and the delays in changing policy. This impact of continued delays was highlighted to CYPE Cabinet Committee members in the November 2024 report on the Special Schools Review.

“7.3 The consequence of a further delay in taking action to address the above would be to postpone the plans for a fully functioning continuum of educational provision so that types of schools have complementary admissions criteria. This in turn would negatively impact learning and development opportunities for children to be suitably educated alongside their peers, creating future challenges and potentially limiting life choices as they transition into everyday life at the end of their education.”

“7.4 The Special School Review forms one part of a suite of changes to support the delivery of reducing our spending on High Needs to bring us in line with the funding provided by Government to pay for these services. This is mainly expected to be achieved through reducing our reliance on private and non-maintained special school places. Any delay therefore also increases the risk of KCC not staying on target with reducing High Needs spend and this places the remaining c£60m of Safety Valve funding in serious jeopardy.”

4.2 Report to Scrutiny in January ([Safety Valve Programme.pdf](#)) included financial projections showing a potential residual balance of at least £30m deficit by the end of the Safety Valve agreement. DfE has continued to make its agreed payments to KCC, primarily because it is satisfied that the Council is doing everything it can to contain costs. The DfE and MHCLG recently announced a two-year extension (until March 2028) to the statutory override. This is the legal tool by which the deficits do not actually appear on the Council's balance sheet. A White Paper is expected later in the year, announcing changes to the SEND system that should help Local Authorities manage these deficits, but the Authority is unlikely to know more detail until the Autumn.

5. SEND policy position

5.1 KCC SEND policy is in line with statutory requirements and effective practice nationally, the current administration will continue to work within the law and implement best practice. The Leader of KCC and the Cabinet Member for

Education are committed to ensure that the Kent SEND system continues to improve but the pace of change will speed up.

5.2 KCC receives an annual High Needs Funding Grant which is £351m in 2025-26. This grant is to provide support for children and young people with SEND. The funding is used to pay for special school places as well as to support mainstream schools in their statutory duty to educate children and young people with special educational needs and disability as outlined in the statutory SEND Code of Practice 2014, which includes a 'mainstream school presumption'.

5.3 Kent now has over 21,400 children and young people with an Education Health and Care Plan, circa 14% higher than the English average. National data shows that Kent places more children in both state-funded special schools and independent special schools than most other equivalent local authorities with circa 40% more children placed in specialist provision in Kent than the national average. Kent spends over half of its funding on Kent special schools and is ranked within the top 20 local authorities in the country for the number of special school places per head of the population. The administration will be considering what action can be taken within the statutory framework which would bring Kent more in line with the national data over time.

5.4 The Cabinet member is committed to schools being safe places to learn and acknowledges the effective work going on across Kent schools and Alternative Provision which has resulted in suspension and permanent exclusion levels well below the national and South East region rates in the most recently published data (2022-23). We intend to build on and extend this effective practice to reduce disruption further. We will be considering the work of the Kent Pupil Referral Units and how this can be further extended to contribute to improving children's behaviour, engagement with learning and attendance, and to reduce preventable exclusions through short term placements of 6-12 weeks providing interventions with a pathway back into mainstream school where appropriate.

5.5 KCC will undertake a review with secondary schools, PRUs and other interested parties over the next 12 months on the use of the Alternative Provision grant which is devolved to schools. The purpose of the review is to consider the evidence of the most effective use of this money by schools in promoting positive behaviour. On the occasions when the school's approach does not have the desired impact, a headteacher makes the difficult decision to permanently exclude a pupil and that decision is upheld by the governing body, KCC applies the principle that the funding follows the child so a contribution from the AP grant devolved to the school should follow the child to their next educational setting to ensure there is the resource for a fresh start.

5.6 We welcome the work of the state-funded SEMH special school headteachers working collaboratively and now in partnership with the LA to meet changing pupil SEMH needs and on planning a more strategic and consistent approach across the county. New SRPs referenced above will make an important contribution to gaps in provision. Alongside this, we will actively support work to use this expertise to develop pathways from mainstream schools into SEMH schools for short term support and intervention for example for children who are in crisis because of a change of circumstances, who can then return to a mainstream setting.

5.7 We support this innovative model of bringing together sector expertise to work collaboratively with the LA to problem solve with a focus on improving the offer for children, young people and families as well as making more efficient use of resources. We will support the other types of state funded special schools to work collaboratively and in partnership with the LA to develop capacity across Kent.

5.8 Kent residents are making a £82m contribution to reducing the accumulated High Needs Funding deficit, and in 2025-26 paying £84m on Home To School Transport and £18m on statutory SEND staffing. Going forward, the Cabinet member will give careful consideration to balancing improvements in performance and demands, against a clear understanding of our statutory duties and the financial implications for residents.

5.9 The Cabinet member believes in being honest with schools, settings and with parents and carers, and in setting realistic expectations, so will be instructing officers to ensure there is always a fair and transparent distribution of support and resources within the statutory framework. While members sympathise and understand parents who will want what they consider is the best for their own child, KCCs responsibility is for all children and young people, and we are concerned about some of the decisions of the SEND Tribunal that can undermine the council in meeting its statutory duties and impact significantly on the Kent-wide SEND budget.

5.10 These examples are real Tribunal cases

- A high achieving post 16 young person, formerly a pupil at a selective school, whose parents secured an educational package costing £160,192.70 per annum
- Parents securing a place at an expensive private independent special school which requires long distance Home To School Transport when there is a place available at a high-quality state funded special school nearer to home

- Not giving serious consideration to the LA's proposed placement of a child with an EHCP in a mainstream school that has stated they can meet the child's needs (and is part of a very SEND inclusive Multi Academy Trust) and demonstrating a preference for placements parents have wanted in expensive private independent special schools.

5.11 The Cabinet member will be raising these concerns and case studies directly with the government.

5.12 It is important to develop a more sustainable school system which provides opportunities for children and young people to attend a school close to their home. We will accelerate the capital programme particularly the implementation of the Education Accessibility Strategy and the opening of new Specialist Resource Provisions where there is robust evidence of need. We will strongly lobby the government to bring forward the two new special schools, in Swanley and Whitstable, which were due to open in September 2026 and there is still no date for starting the building programmes. By doing this we will benefit families in accessing a place in a state funded special school as well as helping to reduce pressures on the Home to School Transport budget.

5.13 This administration will invest in understanding research into what works for children and young people and implementing those approaches in practice. Good work has been going on developing mainstream schools to better meet the needs of a wider range of children, most recently through the DfE funded pilot Promoting the Inclusion of Neurodiverse Children in Mainstream Schools (PINS) together with the locally developed This is Me programme rolled out in Maidstone and now in Swale. Preliminary evaluation suggests this early identification and intervention model is better for children, young people and their families and for school staff. As parental confidence grows in this approach, it may potentially reduce the number of families waiting for diagnosis of autism. Alongside this, the conclusions of Sweden's recent longitudinal study into young people with Attention Deficit Hyperactivity Disorder (ADHD) supports the growing body of research questioning the continued focus on diagnosis, rather than designing appropriate educational interventions and services for people with ADHD. We will use a range of evidence to further develop our policy going forward.

5.14 We will be undertaking a new review of Home To School Transport, particularly looking at the impact of school placements on transport costs, improving contracting and how to better promote independent travel where appropriate through Personal Transport Budgets and Independent Travel Training, to improve young people's life chances and get better value for money for Kent residents.

5.15 Currently, there is a constant stream of expensive, independent special schools being agreed by the DfE that then go on to aggressively market their offer to parents and create a demand. Kent spends over half of its funding on special schools and is ranked within the top 20 local authorities in the country for the number of special school places per head of the population. In addition to the 25 publicly funded Kent special schools which provide 6,500 places at a cost of over £160m per year, a further 1,800 children are placed in the independent private sector at an additional cost of over £80m annually. National data shows that Kent places more children in both state-funded special schools and independent special schools than most other local authorities with the equivalent of 40% more children placed in specialist provision in Kent than the national average. This is a contributor to Kent's overspend on the High Needs Block.

5.16 Whilst we appreciate there will always be a need for some school places in the private independent sector, the current situation where companies backed by private equity investors are making many millions of pounds of profit directly from the public purse is not acceptable. We will be actively lobbying the government to close off this tap of new, expensive private special schools that are not held to the same high standards that state funded schools are judged against. The legislation should be changed and the same rules and requirements applied to the private sector as the state sector. Private special school providers should be required to demonstrate why additional school places are needed before they are allowed to open a new school, costs should be capped, and quality and safeguarding standards made more robust.

5.17 The Early Years is a critical time for children's development, when early identification of need and the right intervention can make a big difference for children and families. We will accelerate the reform early years in Kent to free staff from bureaucracy to give them more time to support families, children and settings. The special nursery outreach model we will be bringing in from September 2025, will make sure children get the best opportunity and support in their local setting to thrive. We will expand the Community Learning Service Family Learning offer to proactively support families to meet their children's needs more effectively.

5.18 We believe that young people should have every opportunity to become an active member of their community, live as independently as possible and have a job. This work on promoting independence and resilience starts in early childhood and carries on throughout statutory education and into post 16. We are considering the evidence of approaches that develop resilience nationally and internationally such as the work of the Peto Institute to see if there is any learning that can be applied in Kent.

5.19 We will have a much greater emphasis on the post 16 sector. For the first time this summer 2025, the Kent Choices website will list all of the course provision available across the county. This means that young people will be able to easily apply to continue their education or training, significantly reducing the risk of NEET.

5.20 Building on this we will be working towards launching a one stop Apprenticeship shop with information on the apprenticeship offer across the county, simplifying the application process.

6. Recommendation(s)

6.1 Committee is asked to note the report.

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Appendix 1 - Feedback following the Third Progress Review of Kent's Improvement Plan (APP)