KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

DECISION TO BE TAKEN BY:	DECISION NUMBER:
Beverly Fordham, Cabinet Member for Education and Skills	27/00072

Executive Decision – key decision

26/00072 – State Maintained Special School Capital Programme.

Proposed Decision:

That the Cabinet Member for Education and Skills consider the following proposal:

I. APPROVE the allocation of £35m of the High Needs Capital Grant to enable the delivery of a state maintained special school capital programme including the schools set out in Table 1;

II. DELEGATE authority to the Corporate Director Children, Young People and Education to:
   a) in consultation with the Cabinet Member for Education and Skills to issue public notices, and approve proposals on behalf of the Local Authority; and
   b) approve capital expenditure on individual proposals related to schools contained in Table1 provided that the total capital expenditure remains within the agreed £35m, and in cases involving capital expenditure above £1m, such approval to be made in consultation with the Cabinet Member for Education and Skills;

III. DELEGATE authority to the Director of Infrastructure to:
   a) in consultation with the Director of Education and SEND, and the Head of Law to take relevant actions, including but not limited to negotiating, entering into and finalising the terms of relevant contracts, contract variations or other legal agreements, as required, to implement the decision; and
   b) be the nominated Authority Representative within the relevant contractual agreements and to enter into such variations as envisaged under any of these contracts.

Reasons for decision:

Nationally the number of children and young people with an Education, Health and Care Plan (EHCP) continues to rise. In 2025/26 the number of EHCPs increased by 13%. Whilst it was 5% in Kent, it currently remains an upward trend. The Department for Education (DfE) expects this trend to continue ahead of any reform to the Special Educational Needs (SEND) system in England.

This upward trend continues to place pressure on the system for specialist places. The Council's strategic plan to ensure sufficient capacity is set out in its SEND

Sufficiency Plan, which is appended to its Commissioning Plan for Education in Kent. The strategy is focused on increasing confidence and skills in the system to enable a greater proportion of children and young people to have their needs meet in mainstream schools. This is fundamental, both for the children themselves so that they can grow up and be educated in their communities with all the advantages and support that this brings, but also to the sustainability of the system. Currently 28% of children in Kent with an EHCP are educated in mainstream schools (excluding specialist resource provisions (SRP)) compared to 40% nationally.

At the other end, the strategy is to reduce our reliance on more specialist provision and in particular the use of high cost independent and non-maintained special school places. As of January 2026 (SEN2 return) the Council was purchasing 2,068 places in these schools. This represents 10% of the Council's EHCPs, compared to 7% nationally. The cost of this is unsustainable.

To help support the rebalancing of the system, the Council is investing £20m in increasing Specialist Resource Provision (SRP) places, providing more opportunities for children and young people with EHCPs and higher levels of need to thrive in local mainstream schools. The Council is also committed to improving the physical environments of mainstream schools through its School Access Initiative and high needs capital budgets to ensure these are accessible and meet the sensory needs of an increasing number of children and young people.

Kent's state maintained special schools continue to play a vital role in meeting the needs of the county's children and young people. In Kent 31% of children and young people with an EHCP attend a state maintained special school, compared to 24% in England. Our strategy is to increase special school capacity, principally through two new special schools in Swanley and Whitstable, and a new alternative provision school (with specialist provision) in Gravesham. However, it is clear none of these schools will be in operation before 2030. All three are to be delivered by the Department for Education (DfE).

Currently, the pressure to use the independent and non-maintained special school sector arises for a number of reasons. Lack of places in state maintained special schools, parental wishes and tribunal decisions, and the complexity of need not being met in state maintained schools. Often these reasons are inter-related, for example a state maintained special school is over-crowded, inhibiting its ability to meet need, leading the parent to want an alternative placement.

The pressures have led to a situation where many of Kent's state maintained special schools need capital investment to ensure these have the facilities and spaces to meet both the numerical demand of the future and the changing needs of Kent's children and young people. This pressure takes two forms – having enough places to meet need (known as sufficiency) and having suitable premises to meet changing needs (known as suitability).

This decision approves a capital programme to alleviate the sufficiency and suitability challenges and support Kent's state maintained special schools continue to deliver high-quality education to their pupils. Condition issues are dealt with separately through the Authority's buildings maintenance programme.

The Capital Programme:
Table 1 sets out all Kent state maintained special schools and a high-level summary of the proposal for each.

1.1 Table 1:

School	Capacity Capital Programme Recommendation
Communication & Interaction (C&I) Dimension	
Aspire	**Develop a satellite provision to increase capacity.**
Broomhill Bank	**No further capital funding proposed – expansion underway.**
Grange Park	**Use accumulated financial surplus to expand provision.**
Leigh Academy Snowfields	**No capital funding proposed. Review pathways and future development opportunities.**
Laleham Gap	**Explore a satellite provision for EBSA pupils.**
Stone Bay	**Improve specialist accommodation.**
SEMH Dimension	
Bower Grove	**Off-site expansion and enhanced intervention spaces on main site**
Elms	**Off-site integration centre and improved support spaces.**
Goldwyn	**Consolidation of provision and additional intervention spaces.**
Nore Academy	**New school – no capital investment planned.**
Portal House	**Off-site integration centre, potentially shared.**
Rowhill School	**On-site nurture/vocational centre and intervention space improvements.**
St Anthony's	**Remodel existing accommodation and off-site integration centre.**
The Orchard	**Modular expansion and off-site integration centre**
Profound Severe and Complex Needs (PSCN) (DfE: Cognition and Learning; C&L)	
Five Acre Wood	**Completion of the 3rd phase of the conversion of the Oxford Road building to provide additional accommodation for the school.**
Foreland Fields	**Increase classroom capacity, access, parking and hygiene facilities.**
Ifield	**Increase teaching space and improve site access and circulation.**
Leigh Academy Milestone	**Replace Post-16 accommodation and enhance key facilities, while reviewing the future suitability of satellite provision.**
Meadowfield	**Reconfigure and enhance both sites to increase capacity and suitability.**
Nexus	**No further capital investment recommended at this stage.**
Oakley	**Improve accommodation, accessibility and site infrastructure across both sites. Address significant maintenance issues (separately).**
St Nicholas'	**Provide a new SEN block and targeted site improvements.**
The Beacon	**No further capital investment recommended.**
Wyvern	**Address sixth form and capacity pressures.**
Valence	**Address suitability issues for PMLD cohort.**

Financial implications:
Capital:
Capital costs related to these proposals will be funded through KCC's High Needs Capital Grant allocations provided by the DfE. The grant can be used to either create new school places, improve existing facilities or/and support mainstream inclusion.

The annual grant allocations are combined, along with other specific funding sources, to fund the programme of works to support the development of High Needs Provision across Kent. Of the £132m available to date, c£84m has been either spent or committed to current known schemes, such as the £20m allocated to the SRP expansion programme. The balance of £48m is intended to support new projects, such as the sufficiency of SRPs and special school places and SEND support in mainstream schools.

The estimated cost of delivering the accommodation proposed in this paper is £35m. It is recognised that this is ambitious and will require considerable prioritisation within each project.

Revenue:
The Council funds the revenue costs of maintained special school places from the High Needs Block of the Dedicated Schools Grant, a specific ring-fenced revenue grant from the DfE. These are paid as a "rate per place" in line with Government requirements. The Government is intending to move to national funding model for children with Special Education Needs as part of the wider SEN reforms whereby different levels of funding will be linked to newly developed "Specialist Provision Packages".

Legal implications:
The proposals support discharging the Councils duties to:

- secure that sufficient school places;
- promote high standards and ensure fair access to opportunity for education and training; and to
- keep under review the educational provision, training provision and social care provision for children and young people who have special educational needs or a disability.

Some projects may require consultations to be undertaken in line with:

- "Making significant changes ('prescribed alterations') to maintained schools", August 2025 statutory guidance.
- "Making significant changes to an academy", August 2025 non-statutory guidance.

Regard must also be had to the Council's public sector equalities duty, and to procurement regulations.

Equalities implications:
The proposals support more children and young people to attend specialist provision in their locality, reducing travel distances and improving choice. They also seek to

ensure equity, as far as possible within the resources available, in the facilities available to children and young people in Kent's state maintained special schools. An EQIA has been completed, and no equalities issues have been identified.

Data Protection implications:
Screening indicates there are no personal data is required for the implementation of this proposal.

Cabinet Committee recommendations and other consultation:

The Children's, Young People and Education Cabinet Committee, on 26 November 2026, endorsed the proposed recommendation.

Any alternatives considered and rejected:
The DfE's most recent position on high needs capital is that this should be directed to mainstream provision, in particular through the provision of inclusion bases. The Council has already committed £20m towards this.

The option of making no further investment in Kent's state maintained special schools was dismissed. For some, the overcrowding is creating operation challenges and increasing health and safety risks. Additionally, the Council has to discharge its statutory duty to make suitable provision available to all children. The current context means we do need to continue supporting Kent's state maintained special schools to accommodate additional pupils safely, while work in the mainstream sector continues. Doing nothing was not a viable option.

The option of making significant investment in a few special schools to address fully their issues was also rejected in favour of supporting a greater number of schools, albeit to a lesser degree.

Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:

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Signed Date