

KENT COUNTY COUNCIL

CHILDREN'S, YOUNG PEOPLE AND EDUCATION CABINET COMMITTEE

MINUTES of a meeting of the Children's, Young People and Education Cabinet Committee held at Council Chamber on Wednesday, 12th October, 2022.

PRESENT: Mr M C Dance (Chairman), Mr M Dendor (Vice-Chairman), Mr D Beaney, Mr A Brady, Mr D Crow-Brown, Mrs T Dean, MBE, Rich Lehmann, Mr S C Manion, Ms M McArthur, Mr A Sandhu, MBE, Dr L Sullivan, Mr A Weatherhead (Substitute) and Mrs P T Cole

Virtual Attendees: Ms K Moses

UNRESTRICTED ITEMS

1. Apologies and Substitutes
(Item 2)

Apologies were received from Canon Dr Q Roper, Mrs S Hamilton for whom Mrs P Cole and Mr G Cooke for whom Mr Weatherhead was present.

2. Declarations of Interest
(Item 3)

There were no declarations of interest.

3. Minutes of the meeting held on 19 July 2022
(Item 4)

RESOLVED that the minutes of the meeting of the Children's, Young People and Education Cabinet Committee held on 19 July 2022 were correctly recorded and that they be signed by the Chair, subject to it be noted:

Dr Sullivan said she was not satisfied with the accuracy of the parts of minute item 22 relating to communication from union representatives and Mr Brady said that he was not satisfied with the completeness of points in minute item 30, relating to Kent Wheels 2 Work.

4. Performance Monitoring
(Item 5)

Katherine Atkinson, Assistant Director of Management Information and Intelligence; Stuart Collins, Director – Integrated Children's Services- Early Help Lead; Kevin Kasaven, Director – Integrated Children's Services (East) and Sarah Hammond, Corporate Director of CYPE were in attendance for this item

1) Ms Atkinson introduced the report and updated Members on areas of change since the report had been produced. The caseloads for Children's Social Work

Teams (CSWT) in the data produced for August 2022 had reduced and there had been improvement in the summer term take up of the 3 Free for 2 nursery funding.

2) Further to comments and questions from Members, it was noted:

- There was variation in the numbers of permanent Qualified Social Workers holding caseloads across districts in the county due to circumstances within teams such as staff leaving, recruitment of agency staff, any long-term sickness, etc.
- There were 63 Newly Qualified Social Workers and their caseloads would be less. Overall, there had been a reduction in social work caseloads and there were strategies in place to further reduce caseloads.
- There were two issues that affected the issuing of EHCP within 20 weeks. The first was the availability of Educational Psychologist advice within 6 weeks and the second was that the availability of placements for children which could delay the issuing of the EHCPs. The backlog had been significantly reduced in the last year.
- There were 3 schools in the Swale area with higher numbers of permanent exclusions. 'Wraparound' support was going into these school settings.
- There had been a request that the number of first entrants into the Youth Justice system be included in the report. This was included on the Activity page at the front of the report.
- A scoping exercise to research was being scoped out to better understand the root causes of school non-attendance post-Covid.
- The Department for Work and Pensions (DWP) shared information with Department of Education about families that were eligible for 3 Free for 2 nursery funding but information was only able to be kept by local authorities for 6 weeks. Work was being done to look at families who registered in the system but did not take up the entitlement.

3) RESOLVED to note the report.

5. Ofsted Update (Item 6)

Katherine Atkinson, Assistant Director of Management Information and Intelligence was in attendance for this item

1) Ms Atkinson introduced the report.

2) RESOLVED to note the report

6. 22/00078 - Special Educational Needs - Commissioning External Tuition Services (Item 7)

Christy Holden, Head of Strategic Commissioning (Children and Young People's Services, Alison Farmer, Job title and Jamie Brooks were present for this item.

1) Ms Holden outlined the report. Slippage in the schedule meant that work was being undertaken for the framework to commence in April 2023 and not in January

or February as stated in the report. The cost of procurement of the framework was just under £49,000.

2) Further to questions and comments from Members, it was noted:

- There was an internal model housed by The Rosewood School. KCC was looking at the levels of eligibility, what they were able to deliver and what would need to be delivered private sector. The Service Level Agreement had been established in September 2021 but this would not be at full capacity until 2023. In the longer term, work was to be done to look at tuition with SEN and whether it could be delivered fully in house. It was felt that the proposed decision would stabilise the market, introduce 'due diligence' and would help KCC to establish whether the services could be delivered in house in the future.
- A Member requested that the recommendations in the report be expanded to include greater detail at part A)
- This matter could come back to Cabinet Committee and there was provision for early termination of contract.
- Tuition for a child was decided on the basis of what was in Section F of their EHCP, which contained special educational provision.

3) RESOLVED to endorse the recommendations as outlined in the report subject to further detail being added at A).

7. SEND Update (Item 8)

*Alison Farmer, Assistant Director/Principal Educational Psychologist
Special Educational Needs, and Christine McInnes were in attendance for this item*

1) Ms Farmer and Ms McInnes outlined the presentation (slides attached).

2) Further to comments and questions from Members, it was noted:

- Members expressed disappointment that the SEND transport report was not an item on the agenda. Members were advised that the report which had been brought to Scrutiny Committee was to be considered by Governance and Audit Committee.
- The Kent Commissioning Plan was due to come to Children's, Young People and Education Cabinet Committee and there was to be a more substantial section in the plan on place planning for children with SEND. A lot of work had been done on pupil projections, looking at more strategic decision making to ensure a spread of provision across the county and clear, consistent pathways.
- It was recognised that parents were increasingly anxious in the current climate and KCC wanted to give parents the confidence that the best was being done for their children.
- EHCP were reviewed annually and the child's needs were considered in the review. Special schools were to be used primarily for the children with the most complex needs. There was partnership working to forward the message that there was suitable education in mainstream schools.

Transition points were being looked at with KCC's partners to ensure the development of a more balanced approach.

3) Mrs Dean asked for it to be noted that she wished to propose and Mr Brady wished to second a motion.

Advice was given through the Chair that the SEND update was for noting only and that therefore, the motion should be withdrawn.

4) RESOLVED to note the update.

8. 22/00091 - Alterations to the Academic School Year 2022-23
(Item 9)

Christine McInnes, Director of Education was in attendance for this item

1) Ms McInnes introduced the report.

2) RESOLVED to note the report.

9. Verbal Update by Cabinet Members
(Item 10)

1) Mrs Chandler said that Ofsted carried out a revisit of Kent's SEND services from 27 to 29 September, looking at how the county had progressed since the last inspection in 2019. It was not possible to share the outcomes of the visit to all Members at the meeting due to the Lead Inspector stipulating that the feedback received during the final meeting was to be kept confidential until the publication of the Ofsted judgement. A full update was therefore to be provided at the next meeting on 29 November.

In 2015 the National Transfer Scheme (NTS) was established to try and alleviate some of this pressure on Kent and other local authorities at the forefront of receiving Unaccompanied Asylum Seeking Children. At that time the protocol was that no authority should have more than 0.07% of its total child population as UASC. The scheme operated on a voluntary basis until December 2021 when it became mandatory.

The then Minister for Safe and Legal Migration, Kevin Foster, announced on 24 August 2022 that the percentage threshold under this scheme was to rise from 0.07% to 0.1%. This was the first change in the threshold since its introduction. The change took KCC's quota from 242 to 346 children. KCC was already over capacity at the 0.07% level and was actively making preparations to accept the additional children into our children in care service. The Safe Care and Reception Service was still being operated from which children and young people are allocated to other local authorities through the National Transfer Scheme, for an additional 120 young people.

It was noted that not all local authorities have reached even the 0.07% level yet, so KCC was urging the government to ensure the allocations are spread more evenly.

The government also announced that the ten-day deadline for transfers of UASC not currently in local authority care had been reduced from ten to five working days.

For transfers between local authorities, this was to remain at ten working days. This had been designed to reduce the need for using hotels, however, due to increasing numbers, a new hotel specifically for receiving minors had been opened in Coventry to help alleviate any additional pressure.

As of 7 October, there had been 1090 UASC referrals in 2022, which was already more than the previous record set in 2015 which saw 927 for the entire year. The largest proportion of arrivals was from Albania (around 80%), but because some are not claiming asylum status, they were not counted in the UASC statistics, but KCC retained responsibility for their welfare. Furthermore, KCC retained a safeguarding responsibility while waiting for UASC to be relocated by the Home Office from hotels. This created additional workloads in the event a child goes missing for example. When this occurred, KCC worked closely with the police to minimise the risk of these children becoming victims of exploitation.

It should be noted that Ukrainian children placed into local authority care were not to be included in the UASC threshold and existing local authority obligations to UASC under the NTS continue to apply.

The terms of reference for the 0-5 Strategy Task and Finish Group had been drawn up and were to be circulated to committee members following the meeting. The Task and Finish Group was to focus on important topics such as the best start to life agenda, the rise in EHCP applications and the promotion of free childcare. It was expected to commence in November and was to meet fortnightly for a period of 3 months. This was to be cross-party, and each group was to be contacted to nominate Members to participate.

On Friday, 30 September Mrs Chandler attended the SE7 Leaders and Chief Executives Board on the Leader's behalf, which was attended by Josh MacAlister, Chair of the Independent Review of Children's Social Care.

The geography of the proposed Regional Care Co-operatives was not likely to be prescriptive and authorities were to be free to choose partners. From KCC's perspective, this would grant the ability to form partnerships with the London Boroughs placing children in Kent, which would be extremely valuable. Regional Agency Staff Banks were also touched upon, and it was hoped this would provide a route towards greater resilience in ensuring KCC had access to the staff needed, when they were needed.

It was agreed that a draft paper was to be drawn up, covering what both Regional Care Co-operatives and Staff Banks might look like and how they might operate. This was then to be taken to the Department for Education to discuss further.

Mrs Chandler attended the Reconnect Celebration Event last Thursday evening, and thanks were given to all of those who contributed towards making the Reconnect Programme such a fantastic success. Thanks were given to Kent's 12 Local Children's Partnership Groups, the many voluntary groups from across Kent, Kent's charities and community interest companies, schools, the business sector, and all KCC's partners and staff from across KCC, district councils, and the emergency services.

During the course of the Reconnect Programme, there had been £2.5 million in grants awarded to more than 600 local groups, organisations and clubs to enable

them to deliver additional opportunities to children and young people in their own communities. To list just a few of the highlights of Reconnect - there had been over 1 million free bus journeys, access to free learning resources such as GCSE and A-Level podcasts, writing challenges, holiday activity and food programmes, six-month paid work placements through Kickstart, and targeted support for young carers.

Mrs Chandler said that she had been proud of the incredible effort made by every part of Kent's communities, and it had been great to see so many people sharing our ambition that Kent should be the best place in the Country for children to grow up and thrive.-

2) Further to Mrs Chandler's verbal update, Members asked questions and the following was noted:

- There had been an evaluation of the work of the Reconnect Programme and results would be reported at a future meeting.

3) Mrs Prendergast offered her congratulations to all pupils who received their GCSE, BTEC, A Level and T Level results the first set of exams after what had been an incredibly difficult couple of years.

Detailed statistics for results in Kent were not yet available. This data was being collated and was expected to be available in November and would be reported at a future meeting.

Mrs Prendergast wished Kent's young people, whether they had stayed on in further or higher education or embarked on a work-based apprenticeship programme every success for the future.

Thanks were given to all primary school staff and pupils for their work in preparing for and taking the SATs in the summer, as well as early years staff for their work with our youngest children.

A total of 18,298 pupils sat the Kent Test on Thursday, 8 September and Saturday, 10 September. Families were to receive their child's results on 18 October so a very swift turnaround and again, the outcomes were to be reported at a future meeting.

The Energy Bill Relief Scheme was to fix gas and electricity prices for all firms for six months from 1 October. The scheme was to apply to fixed contracts agreed on or after 1 April and variable and flexible tariffs and contracts. This was to include schools, nurseries and children's centres. The equivalent support was also to be provided for non-domestic consumers who used heating oil or alternative fuels instead of gas.

The SEND Transport lessons learned review had been published and discussions took place at Governance and Audit Committee. KCC regretted the distress to the families whose transport was impacted during the Spring Term. Work had been undertaken within CYPE and with GET colleagues to make improvements for the start of the new academic year in September. The recommendations in the report was to help in consolidating improvements, in positively addressing long standing structural issues and establishing clearer lines of accountability.

In the lead up to the new academic year, transport teams had completed 1,954 requests for new or amended transport. Over 99% of those applications submitted by the deadline were completed before the start of the academic year, so this is testament to the hard work of all the staff involved, having faced unprecedented pressure to offer transport to so many Kent families.

Work continued to stimulate the school transport market, but as had been acknowledged nationally, Covid had impacted the workforce negatively and securing the capacity needed to meet growing demand continued to be a priority.

There were 6,591 children and young people within the SEN cohort who were entitled to transport, with 216 new requests having been received by the Public Transport Team since 1 September. As of Monday, 10 October, the Fair Access team had just 86 applications outstanding, the oldest of which was from 15 September.

Whilst not coming under the CYPE portfolio, Mrs Prendergast acknowledged the significant impact of proposed bus service cuts. KCC's Public Transport Team had been working tirelessly to protect as many services as possible by working with commercial providers and had achieved some success through means such as diverting existing school bus services to cover areas that would otherwise be left unserved.

However, given the large number of commercially operated services that were being cut, it was not within KCC's means to protect every service. Assurances had been given to Mrs Prendergast that KCC would be able to provide alternative transportation for every child eligible for free home to school transport where they were left without access to a bus as a result of the cuts.

Due to a combination of labour and skills shortages, there were not enough people to fill all jobs. A lack of skilled people was holding back the Kent economy and improving what and how we deliver the necessary training was a priority.

In order to target missed opportunities due to gaps in provision or duplication, through the Helping Hands Fund, a new project had been commissioned. The project was to develop a plan in collaboration with partners so that resources were made the most of for the benefit of Kent residents, particularly those who needed help to get a job or progress in their current job.

Mrs Prendergast was to report with more details about KCC's progress with ambitions for adult learners at a future meeting.

The Multiply Numeracy Project was discussed at the July meeting of CYPE Cabinet Committee where KCC was to receive £7.5m between 2022 and March 2025 from The UK Shared Prosperity Fund. The National Programme aimed to transform the lives of adults aged over 19 by improving their functional numeracy skills through free personal tutoring, digital training and flexible courses.

The Key Decision included permission to commence a procurement. A Dynamic Purchasing System (DPS) was the most suitable procurement option chosen to allow more Providers to join as the Project progresses across the County. It was designed to welcome national providers as well as smaller local Voluntary Sector

providers and aims initially to scope the level of need that can be immediately met as well as highlighting gaps and further areas of focus.

The tender opened on 10 October 2022 and was to run to 8 November 2022. There was then to be a period of evaluation with initial confirmation of those who have successfully joined the DPS in December. The tender was to re-open on 7 December 2022 following the same criteria and evaluation and was to be a rolling process until full coverage of services was confirmed across the County.

The appointment of Dr Tony Breslin as the chair of the 16-19 Pathways for all Board had been announced. The Board was to drive the development of a more cohesive 16-19 education and training offer across Kent, implementing the recommendations made in the *Pathways for All* review published earlier in 2022. Dr Breslin was an experienced, widely published and nationally profiled educationalist with extensive experience in the school, FE and Adult Education sectors.

4) Further to Mrs Prendergast's verbal update, Members asked questions and the following was noted:

- Parents and carers were being contacted to advise them if their children were entitled to school transport. Families were able to seek advice if they needed any assistance in filling out application forms for SEND school transport.
- There had been close work with between CYPE and GET to ensure that there was signposting on the website for the changes to commercial bus services.

10. Decisions taken outside of the Cabinet Committee meeting cycle (Item 11)

1) Further to comments from Members, it was noted:

- A forward plan of contracts was being produced and was to be maintained.
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2) RESOLVED to note the report.

11. Work Programme (Item 12)

1) Members noted the work programme.



Cabinet Committee 12th October 2022

Mark Walker
Director for SEND

Christine McInnes
Director for Education



SEND Redesign

- The SEND redesign business case, final structure and implementation plan was approved at DMT on 13th July
- Advertising and recruitment is progressing. Recruitment is underway for engagement of clerical (KR3), business support (KR5); Team Manager posts (KR11) and Assessment and Casework Officers (KR9 and KR6)
- We will be interviewing for our top tier management on 24th October
- The communication strategy is being developed with an emphasis on keeping key stakeholders regularly informed

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Implementing our new operating model

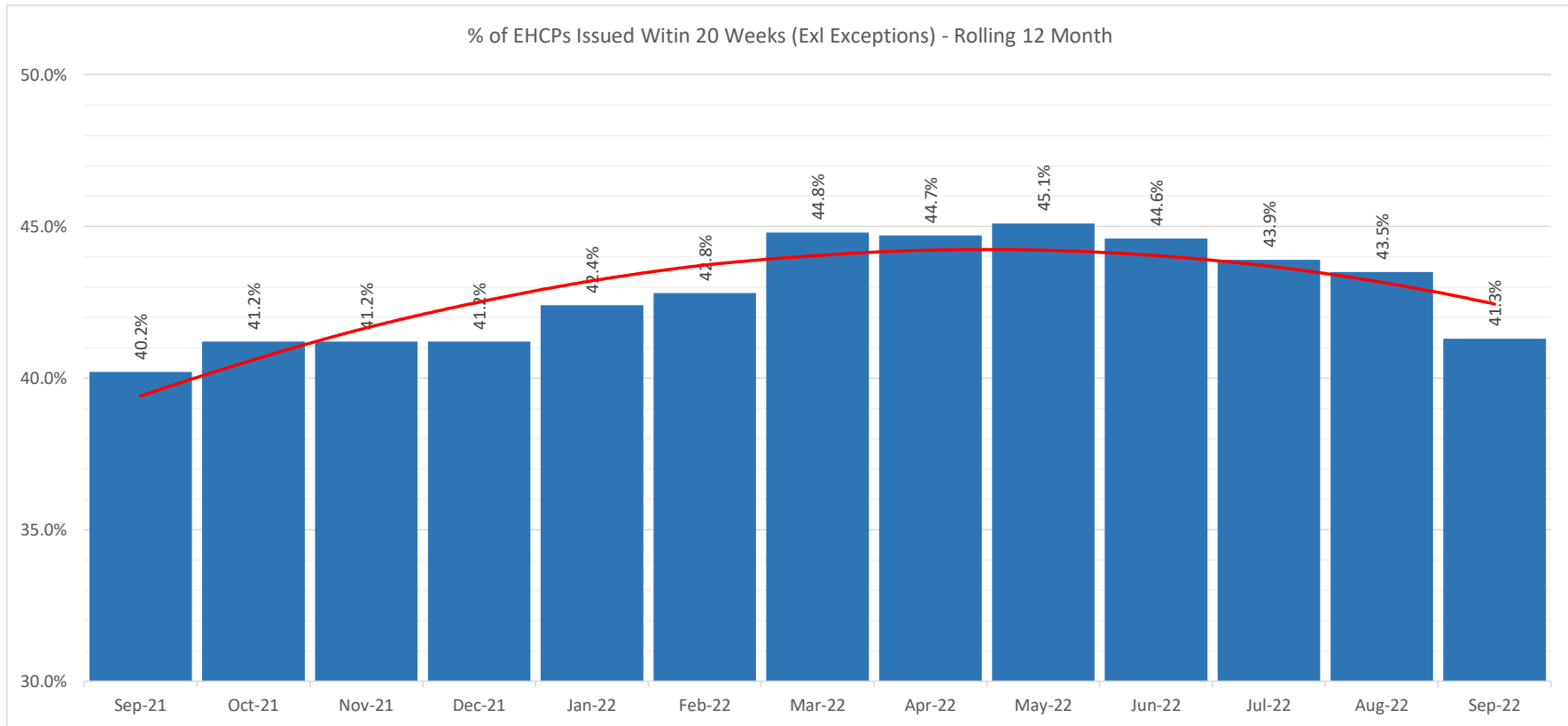
- Development of our new implementation plan, with a focus on establishing new ways of working through the introduction of e-learning training and an induction package for all new and current staff
- We are aligning our processes so that they are more efficient and streamlined
- Implementation will be a graduated process with full implementation to be completed by September 2023

Green Paper

- Kent's response to the Green paper was submitted on 22nd July 2022

EHCPs Issued within 20 weeks

% of EHCPs Issued Witin 20 Weeks (Exl Exceptions) - Rolling 12 Month



Building our relationship with our schools

- We have seen an increase of children with SEND in mainstream provision as shown in the table below -

Age	2019	2020	2021	2022
EY	5	2	4	9
Years R-6	1,520	1,823	2,085	2,684
Years 7-11	937	1,019	1,215	1,605
Years 12-13	192	135	127	156
Years 14+	65	76	11	37
Total	2,719	3,055	3,442	4,491
<i>% Change</i>		12.4%	12.7%	30.5%

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- We have introduced a programme of development, working with schools to improve support, with the aim of establishing consistently high standards of teaching and learning for children with special educational needs who attend their local mainstream school. To date, 41% of Kent schools are enrolled on Inclusion Leadership program; 65% of schools are enrolled on the Whole School Nurture program. The Council is recruiting a lead for the provision of Autism Education Trust training across the County.
- There is a planned programme of Mainstream Core standards training for Primary and Secondary schools

Challenge of Special School Places

- Special schools in Kent are, in many cases full or exceeding capacity. The numbers of state-funded special school places in 2016 was 3628, this increased to 5197 in September 2022.
- Kent's reliance on the provision of education for children with SEN in special rather than mainstream schools exceeds that of other Local Authorities, Kent is an outlier in this respect. In June 2021 33.4% of placements for children with an EHC Plan were in special schools, the national average was 19%.
- Strategic work is being undertaken this academic year to review:
 - The admission criteria and funding for special schools and specialist resource provision (SRP), with a focus on meeting statutory duties and providing curriculum pathways for children with the most complex special educational needs in or near their local community in a state-funded special school or SRP.
 - The suitability and location of provision (including buildings), with the aim of establishing local schools for local children
 - Developing and implementing a sufficiency plan that sets out the plan for provision of a sustainable and affordable number of SEN special school places in Kent over the medium to long-term. The sufficiency plan will be subject to consultation during this academic year

Safety Valve Current Position

- The Council continues to work with the Department for Education officials and advisers to develop a proposal which sets out how the High Needs Block deficit will be controlled and when an in-year balance will be delivered
- This includes demonstrating that the plan is deliverable and how implementation will be managed
- We will be submitting our proposals to the DFE in October for their review and agreement including further scrutiny by the Secretary of State
- Plans will then be shared with Cabinet Committee for endorsement

Preparation

- Transport Eligibility Team – Fair Access restructured its operations (automating mainstream assessment) to increase staff capacity to prioritise support of SEN transport applications
- Page 7 EHCP process improved to ensure all parents advised of the transport application process as soon as plans are finalised
- Dedicated secondary transfer project resulted in parents receiving up to three individualised reminders of the need to apply, with additional Social Worker support for all families currently engaged with ICS
- Further SEN improvements increased Transport Information Form (TIF) completion from 34% in 2020 to 95% for this year's Secondary Transfer cohort
- Public Transport- additional resources have been acquired to support the operational practices
- Public Transport- contractual agreements secured early with providers to ensure clients are allocated in a timely manner

Results

- Public Transport advised that all on time applications were provided to transport for the start of term, with work continuing at a pace to ensure pupils who applied after the deadline are assigned to transport as quickly as possible
- Work completed without the need for further widespread retendering exercises, although KCC has responded wherever adjustments are necessary following provider led changes
- Teams continue to receive applications, which will be processed in line with advertised timescales
- 1739 SEN transport requests have been completed over the summer period in readiness for September by Client Transport
- 228 client requests received after 1st August have already been completed by the Client Transport Team.

Ongoing risks

- New transport arrangements often require a small bedding in period – Officers will monitor and adjust where necessary
- Ongoing national crisis in the transport industry constrains available capacity and limits opportunities for growth
- Increased costs including fuel, vehicle maintenance, driver costs and general inflation will create significant additional pressure on SEN transport budgets
- Cost of living crisis has driven more Kent families to attempt to secure free school transport, leading to increased pressure on all transport teams in spite of efforts to increase staffing capacity
- Clients being placed in schools that are a significant distance from the home address leading to increased cost and capacity requirements from a constrained transport market

Countywide Approach to Inclusive Education (CATIE)- explains KCC's approach to SEND Inclusion

SEND inclusive schools are committed to the fulfilment of potential in all pupils by

- Promoting positive relationships, active engagement, and wellbeing
- Investing in good, evidence-based teaching (quality first teaching) used flexibly in response to the needs of all pupils, but of particular benefit to pupils with SEND
- Selected small-group/one-to-one interventions
- Access to specialist services (ie Specialist Teaching and Learning Service, Local Inclusion Forum Team, a local special school)

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Why promote the Inclusive education in mainstream schools ?

- By attending a local school pupils can form friendships which continue out of school time, contribute to the school community and make use of local amenities, rather than spending significant amounts of time being transported to and from their school
- A contribution to embedding integration of people with additional/special needs into society
- Outcomes for many pupils with additional/special needs can be better in a mainstream school and they are better prepared for adult life

CATIE Dashboard

Going live this term, the dashboard collates data at a school, district and area level. Once validated data is uploaded this will support Local Inclusion Forum Team (LIFT) Executive, officers and headteacher reps to interrogate local data and support with decision making.

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Locality Based Resource model

Adopting this model would devolve a greater level of decision making about EHCPs and resource allocation to a local level including to headteacher panels. A business case and risk assessment is being scoped and will be available for consideration later this year.

Specialist Teaching and Learning Service (STLS)

The new SLA including clear performance indicators has been agreed and signed by all SLA holding schools, implemented from 1st Sept 2022. The KPIs focus on supporting the needs of children within a mainstream environment. Appropriate monitoring will take place on a monthly basis.

Transition

A small team of seconded education leaders are supporting the implementation of an agreed process at each phase of education to prepare both pupils for change and the receiving organisation to better meet needs.

Training and development

- The three commissioned transformation programmes continue with 51% of all mainstream schools engaged in at least one of these programmes since January 2022
- Informed by analysis of Ofsted inspection reports have resulted in TEP (School Improvement Team) being commissioned to plan and deliver refreshed training in Mainstream Core Standards to classroom teachers, curriculum leaders and governors during 2022-2023.

Work is also starting to develop a project with Autism Education Trust (AET) to provide training and to develop a Countywide Autism Strategy.

Engagement of Grammar Schools

Informal conversations have begun with a small group of grammar school headteachers who are successfully educating pupils with EHCPs, to consider what the current barriers might be for children with SEND to access selective education. This engagement will continue focusing on what type of support and development could enable grammar schools to become more SEND inclusive.

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Engagement of Single Academy and Multi Academy Trusts

Following the publication of the Green Paper which references standards for MATs and local conversations with MAT leaders regarding inclusive practice, work has begun to gather information on outcomes for children with SEND who attend schools in MATs. This evidence will enable a professional discussion about how the LA and academy trusts can collaborate to enable the Kent education system to meet the national expectation of mainstream school provision for most children with SEND.