

**CHILDREN'S, YOUNG PEOPLE AND EDUCATION  
CABINET COMMITTEE**

**Thursday, 16th May, 2024**

**2.00 pm**

**Council Chamber, Sessions House, County Hall,  
Maidstone**





## AGENDA

### CHILDREN'S, YOUNG PEOPLE AND EDUCATION CABINET COMMITTEE

**Thursday, 16 May 2024 at 2.00 pm**  
**Council Chamber, Sessions House, County Hall,**  
**Maidstone**

Ask for: **James Clapson**  
Telephone: **03000 417387**

#### **Membership**

Conservative:	Mr M C Dance (Chairman), Mr M Dendor (Vice-Chairman), Mr P V Barrington-King, Mr D Beaney, Mrs L Game, Ms S Hamilton, Mr S C Manion, Mrs M McArthur, Mr A Sandhu, MBE and Mr D Ross
Labour:	Mr A Brady and Dr L Sullivan
Liberal Democrat:	Mrs T Dean, MBE
Green and Independent:	Ms J Hawkins and Mr P Stepto
Church Representatives:	Mr M Reidy, Mr J Constanti and Mr Q Roper
School Governor Representatives	Ms R Ainslie-Malik and Ms H Carter

#### **UNRESTRICTED ITEMS**

*(During these items the meeting is likely to be open to the public)*

- 1 Introduction/Webcast announcement
- 2 Apologies and Substitutes
- 3 Declarations of Interest
- 4 Minutes of the meeting held on 6 March 2024 (Pages 1 - 14)
- 5 Verbal Update by Cabinet Members
- 6 Presentation - An Overview of Post 16 Education (Pages 15 - 26)

- 7 24/00027 - Specialist Nursery Intervention Service Level Agreement Extension (Pages 27 - 44)
- 8 Kent SEND Transformation Projects (Pages 45 - 52)
  - a) 24/00026 - The Locality Model for Special Educational Needs Inclusion (Pages 53 - 80)
  - b) Proposals for the Review of Special Schools (Pages 81 - 128)
  - c) Specialist Resource Provision Review Update (Pages 129 - 158)
- 9 24/00023 - School Term Dates 2025/26, 2026/27 and 2027/28 (Pages 159 - 184)
- 10 School Expansions and Alterations
  - a) 24/00025 - Expansion of Northfleet Technology College, Gravesend (Pages 185 - 200)
  - b) 24/00024 - Expansion of Leigh Academy, Dartford (Pages 201 - 216)
  - c) 24/00040 - Proposal to add four classrooms at Whitfield Aspen Primary School (Richmond Way site) (Pages 217 - 230)
  - d) 24/00039 - Replacement of temporary classrooms and hall at Langdon Primary School, Dover (Pages 231 - 242)
  - e) 24/00041 - Mobile replacement scheme at Blean Primary School (Pages 243 - 256)
- 11 Work Programme (Pages 257 - 260)
- 12 Motion to exclude the press and public for exempt business  
That, under Section 100A of the Local Government Act 1972, the press and public be excluded from the meeting for the following business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of part 1 of Schedule 12A of the Act.

Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)

### **EXEMPT ITEMS**

*(During these items the meeting is likely NOT to be open to the press and public)*

- 13 Regional Care Cooperative Update  
A presentation to be given in private session by Ms Hammond, Corporate Director Children Young People and Education.
- 14 24/00047 - Services Provided by The Education People (Pages 261 - 300)

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**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, Sessions House, County Hall, Maidstone on Wednesday, 6th March, 2024.

PRESENT: Mr M C Dance (Chairman), Mr M Dendor (Vice-Chairman), Mr P V Barrington-King, Mr A Brady, Mrs T Dean, MBE, Ms S Hamilton, Mr M A J Hood (Substitute for Ms J Hawkins), Mr S C Manion, Mrs M McArthur, Mr A Sandhu, MBE, Mr P Stepto, Dr L Sullivan, Mr M Reidy and Mr D Ross.

OTHER MEMBERS: Sue Chandler and Rory Love, OBE.

OFFICERS: David Adams (Assistant Director Education (South Kent)), Sarah Hammond (Corporate Director Children, Young People and Education), Ingrid Crisan (Director of Operations, Integrated Children's Services), Christy Holden (Head of Children's Commissioning), Ian Watts (Assistant Director Education, North), Karen Stone (Revenue Finance Manager (0 - 25 services)), Katherine Atkinson (Assistant Director, Management Information and Intelligence, Integrated Children's Services), Emma Hanson (Senior Commissioning Manager), Kevin Kasaven (Director of Children's Countywide Services), Christine McInnes (Director of Education), Mark Scrivener (Head of Risk and Delivery Assurance) and Joanne Taylor (Head of Capital Works).

**UNRESTRICTED ITEMS**

**1. Apologies and Substitutes**  
*(Item 2)*

Apologies were received from Dr Roper and Ms Hawkins for whom Mr Hood was present as substitute.

**2. Declarations of Interest**  
*(Item 3)*

Mr Brady declared an interest in item 15, 24-00016 Extended Early Years Entitlement and Wraparound Childcare - Revenue and Capital Criteria.

**3. Minutes of the meeting held on 16 January 2024**  
*(Item 4)*

1) During the meeting Mr Brady had requested that his abstention on the vote for item 13, 23-00127 - Extension of Funded Early Years Entitlement and Wraparound Childcare, and the Local Funding Formula for Early Years Providers Funded Entitlement Payments for 2024-25, be recorded in the minutes. Subject to this amendment, it was RESOLVED that the minutes of the meeting held on 16 January 2024 were a correct record.

**4. Verbal Update by Cabinet Members**  
*(Item 5)*

1. Mr Love provided his Cabinet Member verbal update as follows:

#### 1.1 Secondary School Offer Day

Friday 1 March was secondary school offer day. 96% of applicants received an offer from one of their four preferred schools, which was the highest proportion of the cohort in the last five years. Just under 79% of Kent pupils were offered a place at their first-preference school.

Parents and carers were asked to accept or decline their offered school by 15 March however, those offered places at the Oasis academies on the Isle of Sheppey had more time. They would receive further information from KCC once the Department for Education (DfE) had made its final decision regarding the Oasis academies.

Thanks were offered to admissions team who had allocated school places to more than 22,000 pupils.

Mr Love wished pupils every success for the remainder of the year and wished them well as they prepared for the move to secondary school.

#### 1.2 Phase Transfer Deadline

15 February was the phase transfer deadline for children and young people with an Education, Health and Care Plan (EHCP). An up to date EHCP had been issued for around 92% of placements this year, and the remaining 8% of children had bespoke arrangements being prepared. All parents had been contacted by email or post to provide updates when the deadline was missed. In most cases the delay was due to school capacity issues.

KCC's internal processes were now significantly more robust than they were in the past and further improvements were planned for next year. It remained the highest priority to ensure that any outstanding placements were assigned as soon as possible, so that parents and pupils could plan for the new school year.

#### 1.3 NEET Statistics

The most recent data from the DfE's National Client Caseload Information System showed that Kent had outperformed England and the South East in terms of the number of young people with an EHCP who were identified as Not in Education, Employment or Training (NEET). Kent had 4.6% of those with an EHCP identified as NEET, compared to 6.9% in the South East, and 8.3% across the whole of England. This demonstrated the impact of the new SEND Post 16 team, and new ways of working with The Education People's NEET Support Service.

#### 1.4 Additional SEND Investment

It was announced at the Budget Council meeting on 19 February that, despite severe financial challenge for the Council, there would be an additional £2,000,000 investment to increase capacity within SEN services. The funds would be targeted to address backlogs in assessments and annual reviews, and to increase management capacity to support robust and appropriate decision-making. Over time this would provide a positive impact for families, help to address the three areas of weakness identified in the Improvement Plan,

and support KCC in playing its part to improve outcomes for children and young people.

## 2. Mrs Chandler provided her Cabinet Member verbal update as follows:

### 2.1 Kent Intake Unit

On 22 February Mrs Chandler, alongside the Leader and Corporate Director, met with Michael Tomlinson the Minister for Countering Illegal Migration, at the Kent Intake Unit in Dover.

They discussed the challenges Kent faced from the arrival of large numbers of Unaccompanied Asylum Seeking Children (UASC), and how KCC would meet its statutory obligations through measures such as the opening of new reception centres across the county. Minister Tomlinson welcomed the progress Kent had made. There was a desire from KCC and the Home Office to continue close cooperation to ensure there was robust safeguarding in place for children who came into the county.

KCC continued to make the case for fair distribution of UASC, via the National Transfer Scheme, to avoid an unfair burden on Kent. This would ensure KCC could continue to meet its legal responsibilities for what was a national issue.

### 2.2 UASC Update

There had been 87 UASC arrivals during February and the total number of arrivals for 2024 was 246. By comparison, there had been 191 arrivals in the first two months of 2023.

Given the expected pressure of UASC arrivals throughout 2024, preparations were underway to open new reception centres at nine locations around the county. Mrs Chandler had met with local Members of Parliament and Councillors in areas where these new centres were planned, to help provide reassurance to residents around the nature of the sites. All reception centre placements would be on a temporary basis and that there would be staff on site 24 hours a day.

All UASC residents would have a schedule of activities including English language lessons and lessons about life in the UK. This would ensure that all of the young people passing through Kent were best equipped to living in a new country, as they prepared for longer-term placements elsewhere.

### 2.3 Ofsted Inspection

Ofsted carried out a focused visit inspection of Kent at the end of January. The inspection was carried out under the Inspecting Local Authority Children's Services (ILACS) Framework and covered Canterbury and Folkestone and Hythe. The inspection focused on the child in need, child protection, children's entry into care, and 16 and 17 year old young people who presented as homeless.

Ofsted's findings were published on 27 February 2024 and concluded that KCC provided a high quality of service, with only minor areas of improvement identified. Thanks were offered to all the staff for their hard work in preparing for the visit and helping to achieve a positive outcome.

## 2.4 Sector-Led Improvement Programme

Following the recent bid to become a Children's Social Care Sector-Led Improvement Partner for 2024-25, which would see KCC working closely with other local authorities to help them improve their children's services, confirmation had been received that KCC had been successful. Mrs Chandler read an extract of the feedback from the bid as follows:

*'Your bid exceeded our expectations by providing good evidence regarding the strength of your children's social care services and demonstrating how your Quality Assurance Framework will be applied to support other local authorities. Your bid clearly demonstrated the quality of your contextual safeguarding offer and suicide prevention expertise, as well as providing strong evidence to support the impact and outcomes of your work.'*

*Your bid met our expectations by demonstrating your commitment to continuous improvement alongside the stability of your leadership. You also provided a satisfactory list of support activities you would expect to offer and demonstrated understanding of the risks you might need to manage in delivering SLI support.'*

The action plan and exact amount of funding would be confirmed shortly, and thanks went to the all the officers involved in preparing the successful bid.

## 2.5 Staff Consultation on the Open Access Review

The consultation concluded on 22 February and staff received the final documentation on 1 March. The distribution of documentation did not go as planned however, all documents were available by the end of the day. Staff were thanked for the professional way they had engaged with the consultation. Apologies were offered to the staff members who experienced difficulties accessing documents on the Oracle system. All the questions raised by members of staff had been answered.

### 3. Further to questions and comments from Members, it was noted that:

- Some staff were very distressed following the Open Access Review and the delay in receiving documentation.
- Youth provision for those with SEND would be within Family Hubs, information and guidance had been given to staff members.
- A lot of work had taken place to support NEETs and the data showed that the system was working better in Kent than elsewhere. However, there was more to be done to make the number of NEETs as low as possible.
- It was not possible to say exactly when SEND pupils awaiting school placements would have their placements allocated. Bespoke arrangements were being finalised and placements were being tailored to individuals. It was recognised that communication with parents and carers was very important during this time.

### 4. The verbal updates were noted.

## 5. Performance Monitoring (Item 6)



*Katherine Atkinson, Assistant Director, Management Information & Intelligence CYPE and Christine McInnes, Director of Education and SEN were in attendance for this item.*

1. Ms Atkinson introduced the report that detailed performance up to the end of December.
2. Further to questions and comments from Members, it was noted that:
  - Ms Atkinson would look into options to present Members with the most up to date Score Card data available.
  - In September there had been 1100 backlog EHCP cases, this had now been reduced to less than 400. Additional funding allowed a dedicated team to work through the remaining backlog of cases. Apologies were offered to those still awaiting completion of historic EHCP cases.
  - Mr Love offered to look into providing the Committee with a breakdown by district area of the number of EHCP assessments awaiting completion.
  - The cost of providing home to school transportation to independent or out of country schools could be made available.
  - Outreach work to encourage people to become social workers mostly took place at universities.
3. RESOLVED to note the report.

**6. Ofsted Update**  
*(Item 7)*

*Katherine Atkinson, Assistant Director, Management Information & Intelligence CYPE and Christine McInnes, Director of Education and SEN were in attendance for this item.*

1. Ms Atkinson introduced the report and highlighted that 91.4% of schools were rated good or outstanding which was higher than the national average.
2. Further to questions and comments from Members, it was noted that:
  - The fees charged by Ofsted for inspections were not paid by KCC.
  - There were different levels of inspection, schools who had not had a full inspection for some time, may have had a light touch inspection during the period.
3. RESOLVED to note the update.

**7. Presentation - An Overview of Post-16 Education**  
*(Item 8)*

This item would be considered at the 16 May 2024 CYPE Cabinet Committee meeting.

**8. KCC Maintained School Estate - Condition Survey Update**  
*(Item 9)*

*Emily Nicholson, Project Manager and Joanne Taylor, Head of Capital Works were in attendance for this item.*

1. Ms Taylor outlined the report that included a forecast of costs over the next 10 years.
2. Further to questions and comments from Members, it was noted that:
  - The Council was not responsible for maintenance of academy schools.
  - The condition surveys were rated over nine levels, and the Forward Maintenance Plan translated these levels into three priorities for maintenance work.
  - All priority one works were completed within the year to keep schools open.
  - The budget was not sufficient to allow investment into future heating or energy saving schemes.
  - Discussions would continue with Government about the support of school maintenance. Schools had benefited from specific capita investment in the past.
  - Mr Dendor offered to look into providing Members with a breakdown of the condition of schools in their area.
  - Schools were responsible for their maintenance and received funding to carry out this duty. The maintenance thresholds had recently been updated for the first time in a number of years.
3. RESOLVED to note the report on the 10-year condition surveys carried out on Kent County Council's School Estate.

**9. Risk Management: Children, Young People and Education**  
*(Item 10)*

*Mark Scrivener, Head of Risk and Delivery Assurance and Sarah Hammond, Corporate Director CYPE were in attendance for this item.*

1. Mr Scrivener introduced the report that was presented the Committee annually.
2. Further to questions and comments from Members, it was noted that:
  - Safeguarding carried risks to the Council and had assurance around it. Ofsted recently published a letter from their inspection of front door services that highlighted the Council's strengths and weaknesses.
  - The Ofsted inspection found that things had improved since their last inspection in 2022. The letter and inspection framework would be circulated to Members of the Committee for information.
  - Mitigation actions to address the availability of specialist providers for disabled children and children with complex needs included:
    - A redesign of services that reduced the number of social worker roles and increased the number of early help roles. This increased access to community resources.
    - Improvements in practices that led to a reduction in Section 17 payments and care centre access, as a result of increased family work.
    - A review of short break options.

3. RESOLVED to consider and note the risk presented in the report.

**10. Local Authority Designated Officer (LADO) Annual Report 2022/23**  
(Item 11)

*Kevin Kasaven, Director of Children's Countywide Services was in attendance for this item.*

1. Mr Kasaven introduced the report.
2. Further to questions and comments from Members, it was noted that:
  - An additional LADO had been recruited into the service, so there were now six LADO.
  - The majority of the actions identified in the report were now complete. The report was written in the summer of 2023, it was intended that reporting process would be streamlined in future so the annual report would be brought before the Committee earlier.
  - Thanks were offered to staff for carrying out their roles under challenging circumstances.
  - During an investigation the LADO would enquire about the support offered to the worker involved.
  - The vast majority of LADO investigations involved workers outside of KCC.
3. RESOLVED to note the report.

**11. Contract Register**  
(Item 12)

*Christy Holden, Head of Children's Commissioning and Sarah Hammond, Corporate Director CYPE were in attendance for this item.*

1. Ms Holden introduced the report.
2. Further to questions and comments from Members, it was noted that:
  - Everything on the register had been strategically commissioned.
  - Spot purchase contracts were not always more expensive, they would be looked into further in the future.
  - Service reviews and commissioning dates were included in the register.
  - Some in house services were being developed that would reduce the need to procure services externally.
  - Prevention services were very important; however, it was often difficult to demonstrate the benefit of prevention services numerically.
  - The Placement Service team had full access to providers across the United Kingdom. The number of children placed in the area from other authorities exacerbated the shortage of available placements in Kent.
3. RESOLVED to note the report.

**12. 24/00008 Special Educational Needs - Therapy Contracts**  
(Item 13)

*Emma Hanson, Senior Commissioning Manager, Christy Holden, Head of Children's Commissioning and Christine McInnes, Director of Education were in attendance for this item.*

1. Ms Holden introduced the report.
2. Further to questions and comments from Members, it was noted that:
  - The long term goal was to jointly commission community services with the NHS, this would help to align the quality of provision and the workforce.
  - Upskilling would take place in schools to ensure schools were able to offer preventative support. KCC would work with the NHS to establish what could be offered to support schools to become more therapeutic.
  - There needed to be more staff and resources within schools, as the existing staff were already working at full capacity.
  - New contracts would include a system of reporting the benefit generated for those with SEND. There would need to be a period of transformation which could involve the movement of resources around the county.
  - The alternative options detailed within the report were limited and could have included what other councils were doing.
3. RESOLVED to endorse the proposed decision by the Cabinet Member for Education and Skills to:
  - a) Retrospectively contract with the East Kent Hospitals Trust and the Kent Community Health Foundation Trust for 1 April 2023 to 31 March 2024 for the provision of SEN Therapies.
  - b) Contract with the East Kent Hospitals Trust and the Kent Community Health Foundation Trust for 1 April 2024 to 31 August 2025 for the provision of SEN Therapies.
  - c) Agree to the review the Kent and Medway Communication and Assistive Technology service and to incorporate into the wider recommissioning of SEN Therapies.
  - d) Agree for the exploration of joint commissioning with the NHS for the wider provision of SEN Therapies to include in the re-procurement of NHS Community Services.
  - e) Delegate authority to the Corporate Director of Children, Young People and Education, or other appropriate Officer, to implement the decision, in consultation with the Cabinet Member.
4. In accordance with paragraph 16.31 of the Constitution, Mr Brady and Dr Sullivan, wished for it to be recorded in the minutes that they abstained from voting on the motion.

**13. Local Government Social Care Ombudsman - Case 22 017 780 Public Report Actions**  
(Item 14)

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

1. Ms McInnes introduced the item and advised that the report was brought to the Committee upon the request of the Ombudsman in order to update Members on the actions taken as a result of a complaint about access to occupational therapy services.
2. Further to questions and comments from Members, it was noted that:
  - There were a number of actions for the Council to take however, there was also national shortage of occupational therapists which was mirrored within Kent.
  - Discussions were underway with Democratic Services about how best to streamline reporting this kind of information to the Committee when it fell outside of the standard committee cycle.
  - The Action Plan would be circulated to Members following the meeting for comment.
3. RESOLVED to note the report.

**14. 24-00016 Extended Early Years Entitlement and Wraparound Childcare - Revenue and Capital Criteria**  
(Item 15)

*David Adams, Assistant Director - Education (South Kent) and Christine McInnes, Director of Education was in attendance for this item.*

1. Mr Adams introduced the report.
2. Further to questions and comments from Members, it was noted that:
  - At this stage the Council did not know how many providers would sign up. Providers would need to opt into the service, and they seemed generally optimistic about the rates offered.
  - Poorly performing providers could claim for existing pupils but could not take on new pupils. There were very few providers who fell into this category.
  - Child population and locality were used to provide an indicative distribution of funding across the county.
  - Providers could apply for capital support if required and were encouraged to do so in areas where there was under provision.
  - Work was to be done to establish the demand for wrap around child care. It would not necessarily be located on school sites.
  - Revenue funding would be initially reserved for areas where there was a shortage of provision.
3. RESOLVED to endorse the proposed decision that the Cabinet Member for Education and Skills:

- a) Approve the process set out in paragraphs 2.1 to 2.4 of the report for the management and awarding of capital funding related to delivery of the extended early years funded entitlements.
  - b) Approve the process set out in paragraph 2.5 of the report for the management and awarding of capital funding and revenue monies related to delivery of the wraparound childcare aspiration.
  - c) Authorise the Director of Education and SEND to adapt these processes, in consultation with the Cabinet Members for Education and Skills and Integrated Children's Services, as necessary to ensure effective delivery.
4. In accordance with paragraph 16.31 of the Constitution, Mr Brady and Dr Sullivan, wished for it to be recorded in the minutes that they abstained from voting on the motion.

**15. 24/00011 KCC's Contribution to the Children and Young People's Mental Health Service (CYPMHS)**  
*(Item 16)*

*Christy Holden, Head of Children's Commissioning and Ingrid Crisan, Director of Operational Integrated Children's Services were in attendance for this item.*

1. Ms Holden introduced the report.
2. Further to questions and comments from Members, it was noted that:
  - The contract had a target for assessment within four weeks.
  - A saving had been identified and options were being explored to use some of the money differently.
  - Timing for interventions was not included in the contract because delays were usually caused during the assessment process rather than during interventions. There was a drive to expedite assessments, and this would lead to faster interventions.
3. RESOLVED to endorse the proposed decision that the Cabinet Member for Integrated Children's Services:
  - a) Provide five months' notice on 1 April 2024 to the Kent and Medway Integrated Care Board (ICB) of the withdrawal of investment for fast-tracked assessments for Looked After Children and Harmful Sexual Abuse from 1 September 2024.
  - b) Continue to contribute the £150,000 annual funding for services to the Pupil Referral Units and Post Sexual Abuse.
  - c) Delegate decisions and necessary actions to the Corporate Director for Children, Young People and Education, or other Officer as instructed by the Corporate Director for Children, Young People and Education, in consultation with the Cabinet Member, to implement the decision.

4. In accordance with paragraph 16.31 of the Constitution, Mr Brady, Dr Sullivan and Mr Stepto wished for it to be recorded in the minutes that they abstained from voting on the motion.

**16. 24/00020 - Proposed Revision of Rates Payable and Charges Levied by Kent County Council for Children's Social Care Services in 2024-25**  
*(Item 17)*

*Karen Stone, Revenue Finance Manager (0 - 25 services) was in attendance for this item.*

1. RESOLVED to endorse the proposed decision that the Cabinet Member for Integrated Children's Services:
  - a) Change the rates payable by Children's Services in 2024-25 as detailed in section 2 and Appendix 2 of the report.
  - b) Note the changes to the rates that are set by the Government/external agencies: including inter-agency charges and Essential Living Allowance.
  - c) Delegate authority to the Corporate Director of Children, Young People and Education, or other nominated officer, to undertake the necessary actions to implement the decision.

**17. 24/00013 Vigo Village School Roof Replacement Project**  
*(Item 18)*

*Ian Watts, Assistant Director Education, North and Christine McInnes, Director of Education and SEN were in attendance for this item.*

1. RESOLVED to endorse the proposed decision that the Cabinet Member for Education and Skills:
  - a) Approve the allocation of £1,416,000 from the Children's, Young People and Education Annual Planned Enhancement Budget to permit the required repair works at Vigo Village School.
  - b) Delegate authority to the Director of Infrastructure to, in consultation with the Director of Education, enter into any necessary contracts or other legal agreements, as required to implement this decision.
  - c) Agree for the Director of Infrastructure to be the nominated Authority Representative within the relevant agreements, with authority to enter variations as envisaged under the contracts.

**18. 24/00019 Expansion of Rosherville Church of England Academy**  
*(Item 19)*

*Ian Watts, Assistant Director Education, North and Christine McInnes, Director of Education and SEN were in attendance for this item.*

1. RESOLVED to endorse the proposed decision that the Cabinet Member for Education and Skills:
  - a) Agree funding of £14,900,000 from the Basic Need capital budget for the expansion of Rosherville Church of England Academy, London Road, Northfleet, Gravesend, Kent, DA11 9JQ, increasing the Published Admission Number (PAN) from 20 places per year group to 60 places per year group, facilitated by a relocation onto a new site on Crete Hall Road, Northfleet, DA11 9AA, for September 2025.
  - b) Delegate authority to the Director of Infrastructure to, in consultation with the Director of Education, enter into any necessary contracts or other legal agreements, as required to implement this decision.
  - c) Agree for the Director of Infrastructure to be the nominated Authority Representative within the relevant agreements, with authority to enter variations as envisaged under the contracts.

**19. SACRE Annual Report**  
*(Item 20)*

1. Mr Manion, Chair of the Standing Advisory Council on Religious Education (SACRE), provided a brief overview of the report and noted his thanks to Mrs Younosi, the former Vice Chair who had retired from the SACRE. He then welcomed Mrs Paddison-Chapman into her role as Vice Chair.
2. RESOLVED to note the SACRE Annual Report.

**20. Work Programme**  
*(Item 21)*

1. RESOLVED to note the work programme.

**21. Motion to exclude the press and public for exempt business**  
*(Item 22)*

RESOLVED that the Press and Public be excluded from the meeting for the following business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of part 1 of Schedule 12A of the Act.

**EXEMPT ITEMS**  
(Open access to minutes)

**22. Services Provided by The Education People**  
*(Item 23)*



*David Adams, Assistant Director - Education (South Kent) and Christine McInnes, Director of Education were in attendance for this item.*

1. Mr Adams introduced the report.
2. Further to questions and comments from Members, it was noted that:
  - Officers had worked with The Education People (TEP) to identify where cost savings could be made in areas that were least needed.
  - There were a number of elements that would be worked through and that could lead to the development of proposals.
  - Music in schools had not been something that KCC had been involved in.
  - The potential infrastructure and management savings were significantly less than the savings identified elsewhere. Back office and overhead cost savings should be proportionate to savings elsewhere.
  - Any decisions would be made by the Cabinet Member following appropriate consultation.
3. RESOLVED that the Cabinet Committee:
  - a) Note the progress made to date.
  - b) Note that following the outcome of consultations, the Cabinet Member may take further relevant key decisions in line with the Council's decision-making procedures.

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# An Overview of the Post-16 Education System

Mike Rayner

1

## Pathways for All - recommendations

1. Improve outcomes through benchmarking
2. Implement a life skills curriculum; improve CEIAG
3. Implement Local collaborative planning of 16+ provision
4. Improve provision below Level 2
5. Support learners' mental health
6. Improve access to provision - travel
7. Learn from Lockdown
8. Improve strategic leadership at 16+

<https://www.kelsi.org.uk/kent-16-to-19-review>

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## Pathways for All Local Collaborative Partnership Areas

Area	Chair	Organisation
Ashford	Siobhan Matthews	North School Deputy Head
Cant/Fav/Than	Jon Watson	Canterbury Academies Trust - CEO
Folkestone	Neala Wybrow	EKC - Campus Principal
Dover	Lee Kane	Astor - Head of School
Sittingbourne and Sheppey	Nicki Hodges	Swale Academies Trust - Exec Head
Maidstone and Malling	Jim Mawby	MKC - Executive Director
T'wells, Tunbridge and Sevenoaks	Hilary Birkett	Hillview - Head teacher
Dartford and Gravesham	Rhiannon Hughes	NKC - Deputy Executive Principal – Teaching Learning & Improvement

3

## Statutory Duties

- To secure sufficient suitable education and training provision for all young people in their area who are over compulsory school age but under 19 or aged 19 to 25 and for whom an Education, Health and Care (EHC) plan is maintained. This is a duty 6 under the Education Act 1996 1. **To fulfil this, local authorities need to have a strategic overview of the provision available in their area and to identify and resolve gaps in provision.**
- To make available to all young people aged 13-19 and to those between 20 and 25 with special educational needs and disabilities (SEND), support that will encourage, enable or assist them to participate in education or training under Section 68 of ESA 20082.

(Participation of young people in education, employment or training Statutory guidance for local authorities September 2016 )

4

## Key stages

Key Stage	Year Groups	Age of Children	Key Assessment
EYFS (Early Years Foundation Stage)	Nursery, Reception Year	0-5	
Key Stage 1	Year 1 - 2	5-7	Phonics test in Year 1 KS1 SATs in Year 2
Key Stage 2	Year 3 - 6	7-11	KS2 Multiplication Tables Check (MTC) in Year 4 KS2 SATs in Year 6
Key Stage 3	Year 7 - 9	11-14	
Key Stage 4	Year 10 - 11	14-16	GCSEs in Year 11
Key Stage 5 / Sixth Form	Year 12 - 13	16-18	A-Levels in Year 13 Or NVQs / BTECs / Apprenticeships / IB

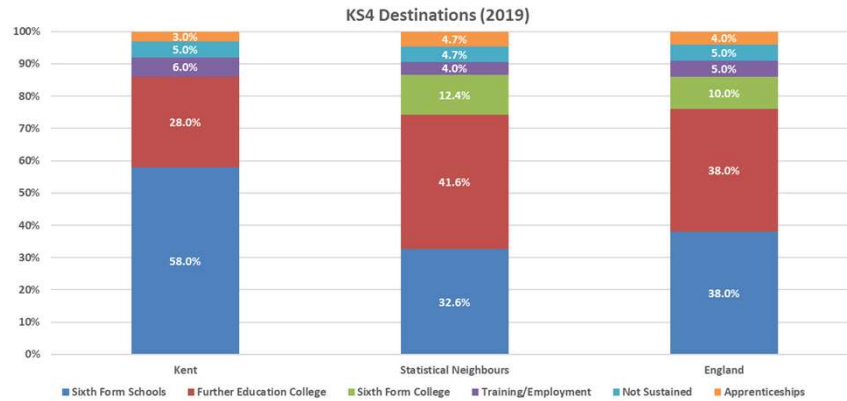
5

## Qualification levels

- Entry
- Level 1 – GCSE Grades 1-3
- Level 2 – GCSE Grades 4+, BTECs, Apprenticeships (You need 5 GCSEs at this grade or higher to progress on to L3)
- Level 3 – A levels, Applied Generals, T- Levels, International Baccalaureate, Apprenticeships

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## The Kent Cohort – Where they study post-16



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## Destinations – the detail

	Jan-19		Jan-20		Jan-21		Jan-22		Jan-23		Jan-24	
	Number	%	No.	%	No.	%	No.	%	No.	%	No.	%
Cohort size	32496		32238		33668		33595		34178		36698	
Participating		90.6%		88.6%		90.4%		91.3%		90.9%		90.7%
In education	26816	82.5%	26628	82.5%	28808	85.5%	29102	86.6%	28738	84.1%	31308	85.3%
Sixth form	17965	55.2%	17619	54.6%	18983	56.6%	19286	57.4%	18916	55.3%	20303	55.3%
FE college	8589	26.4%	7986	24.7%	9487	28.1%	9268	27.6%	9439	27.6%	10439	28.4%
Higher Education	16	n/a	9	n/a	12	n/a	13	n/a	9	n/a	3	n/a
Part Time Education	15	n/a	835	2.6%	31	n/a	58	n/a	31	n/a	13	n/a
Gap Year	0	n/a	0	n/a	0	n/a	1	n/a	0	n/a	2	n/a
Full time education - other	213	0.6%	164	0.5%	223	0.6%	361	1.0%	251	0.7%	319	0.8%
Specialist Post 16 Institution	10	n/a	13	n/a	71	n/a	111	0.3%	87	0.2%	225	0.6%
Full Time Ed - Custodial	8	n/a	2	n/a	1	n/a	4	n/a	5	n/a	4	n/a
Employment/Training												
Apprenticeships	1941	6.0%	1390	4.3%	1126	3.3%	1262	3.8%	1605	4.6%	1537	4.2%
Employment no training	1048	3.2%	1098	3.4%	826	2.5%	1119	3.3%	1380	4.0%	1554	4.2%
Training	715	2.2%	535	1.6%	518	1.5%	393	1.2%	498	1.4%	442	1.2%
NEET	888	2.7%	1137	3.5%	1037	3.1%	953	2.8%	1218	3.6%	1257	3.4%
Not Known	1066	3.2%	1444	4.5%	1351	4.0%	754	2.2%	724	2.1%	598	1.6%

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## The Kent Cohort – Where they study by attainment level (Source: SCA Cohort Analysis)

Average GCCSE Grade	Destination - February Year 12							Total
	School	College	Apprenticeship	Employment	Training	Unemployed	Other	
1	9.2%	59.3%	5.9%	6.5%	7.9%	7.7%	3.5%	100.0%
2	15.6%	61.3%	7.4%	4.1%	6.1%	3.5%	1.9%	100.0%
3	22.5%	60.5%	8.7%	2.3%	2.8%	1.3%	1.8%	100.0%
4	44.6%	43.4%	7.0%	1.1%	1.4%	0.7%	1.8%	100.0%
5	71.6%	21.8%	3.6%	0.7%	0.6%	0.4%	1.2%	100.0%
6	88.4%	8.7%	1.5%	0.2%	0.1%	0.0%	1.0%	100.0%
7	96.6%	2.0%	0.1%	0.1%	0.1%	0.0%	1.1%	100.0%
8	97.8%	0.8%	0.4%	0.0%	0.0%	0.0%	1.0%	100.0%
9	98.7%	0.8%	0.0%	0.0%	0.0%	0.0%	0.4%	100.0%

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## Qualification Reform

- Applied Generals (BTECs etc) – progressively defunded from 2024
- T- levels – new, flagship vocational qualifications – equivalent to 3 A levels.
- Additional Academic Qualifications (AAQs) – where there is no A level or T-level equivalent. Students will only be able to take one of these as part of a programme.
- Advanced British Standard – 5 subjects, 10 years away
- L2 and below qualifications – simplified, reduced in number focussed on employment and progression.
- Some subjects disappearing – gaming, legal secretary, cabin crew...

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## 6<sup>th</sup> Form

- Approximately 60% of the cohort
- Selective – almost exclusively A levels
- Non selective – IBCP, A levels, Applied Generals
- Almost exclusively L3
- Mixed careers support
- Mainly judged on qualification outcomes

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## College

- Mainly Vocational
- Much higher % of students studying L2 and below
- Very varied offer across the county
- Main deliverers of T-levels.
- 2 campuses out of 12 now offer A levels
- Judged on outcome (less emphasis than schools) but also on how they meet local need.

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## Apprenticeships

Under 19	19/20	20/21	21/22	22/23
Immediate (L2)	950	680	770	750
Advanced (L3)	630	660	840	900
Higher (L4+)	90	70	160	210
<b>19 to 24</b>				
Immediate (L2)	590	590	540	470
Advanced (L3)	970	1220	1230	1240
Higher (L4+)	480	510	760	800
<b>25+</b>				
Immediate (L2)	870	800	800	530
Advanced (L3)	1690	1760	1900	1830
Higher (L4+)	1330	1690	1820	2020

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## Apprenticeships – National Comparison

Age	Kent	National
Under 19	+5%	+0.003%
19-24	-0.5%	-7%
25+	-4%	-3%

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## Apprenticeships - Issues

- Lots of opportunities, but not necessarily in industries of interest for young people
- Not all apprenticeship vacancies are advertised through the national apprenticeship service, as employers can choose where to advertise, which means people could miss out.
- Young people unaware of large employers' recruitment cycles as they are different with each employer.
- Small employer's struggle with providing the right support to an apprentice
- Current apprentice rules confuse employers.
- Government drive is L3 which has the potential to disadvantage anyone with low level qualifications.

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## Training providers – by district

District	Number of providers delivering 2 or more places in a district							
	No. providers 18/19	No. Providers 19/20	Difference 18/9-19/20	No. Providers 20/21	Difference 19/20-20/21	No. Providers 21/22	Difference 20/21-21/22	No. Providers 22/23
Canterbury	9	4	-5	3	-1	4	+1	2
Swale	10	4	-6	6	+2	8	+2	7
Thanet	13	5	-8	5	0	3	-2	3
Ashford	5	4	-1	3	-2	1	-1	1
Dover	7	3	-4	2	-1	1	-1	3
Folkestone/Hythe	5	2	-3	4	+2	3	-1	2
Maidstone	10	3	-7	2	-1	2	0	3
Tonbridge and Malling	5	1	-4	1	0	1	0	1
Tunbridge Wells	2	0	-2	0	0	0	0	0
Dartford	8	3	-5	2	-1	2	0	1
Gravesham	7	1	-6	3	+2	2	-1	3
Sevenoaks	2	1	-1	1	0	2	+1	0
Countywide	0	0	0	3	+3	6	+3	3

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## Training providers - countywide

Total providers for the county		
	Providers	Difference
18/19	42	
19/20	19	-23
20/21	25	+6
21/22	24	-1
22/23	20	-4

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## Training providers - number of places

District	Places			No. Places 20/21	Difference in Places 19/20 - 20/21	No. Places 21/22	Difference in Places 20/21 - 21/22	No. Places 22/23	Difference in Places 21/22 - 22/23
	No. Places 18/19	No. Places 19/20	Difference in Places 18/19 - 19/20						
Canterbury	132	76	-56	54	-22	89	+35	65	-24
Swale	182	89	-93	77	-12	107	+30	155	+48
Thanet	253	104	-149	122	18	65	-57	72	+7
Ashford	101	53	-48	27	-26	16	-11	16	0
Dover	116	63	-53	63	0	25	-38	79	+54
Folkestone/Hythe	108	71	-37	76	5	71	-15	37	-34
Maidstone	177	102	-75	104	2	95	-9	102	+7
Tonbridge and Malling	97	10	-87	21	11	2	-19	0	-2
Tunbridge Wells	22	0	-22	0	0	0	0	0	0
Dartford	146	147	1	81	-66	50	-31	85	+35
Gravesham	98	30	-68	22	-8	27	+5	74	+47
Sevenoaks	19	10	-9	4	-6	33	+29	1	-32
Countywide	0	0	0	148 Online	148	513 F2F	+365	420	-93
Total	1451	755	-696	799	+44	1101	+292	1106	+5

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## General issues

- Funding for training providers
  - Training providers can't access enhancements and capital
  - Almost impossible to get direct funding for training providers
- Lack of response from DFE
- Shrinking of lower level offer/raised entry criteria
- Perceived hierarchical nature of provision
- Doesn't work well for those who don't go straight through the system
- Support – transition, mental health...

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## Adult Learning

Through DfE Adult Education Budget funding, fully funded learning opportunities for eligible learners aged 19+ include:

- English and maths, up to and including level 2, for individuals aged 19 and over, who have not previously attained a GCSE grade 4 (C), or higher, and/or
- first full qualification at level 2 for individuals aged 19 to 23, and eligible adults aged 23+ who don't hold a full Level 2 and are seeking work, or on a low income presently <£20,319 pa.
- first full qualification at level 3 for individuals aged 19 to 23, and eligible adult aged 23+ who don't hold a full Level 3 and are seeking work, or who hold a level 3 but are unemployed or are on a low wage, are fully funded once, under **NSF Free Courses for Jobs**.
- essential digital skills qualifications, up to and including level 1, for individuals aged 19 and over, who have digital skills assessed at below level 1

Note: A learner can only be fully funded for one vocational qualification from the entitlement qualifications list.

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## Adult Learning continued

For 19+, Advanced Learner Loans (ALLs) are available to help with costs of courses at L3 and above, for learners not available for AEB funding.

Sector-based Work Academy Programmes (SWAPs) are designed to help Job Centre Plus claimants build confidence to improve their job prospects and enhance their CV, whilst helping employers in sectors with current local vacancies to fill them.

Other learning opportunities for adults include:

- Apprenticeships
- Skills Bootcamps – courses of up to 16 weeks linked to job outcomes
- Multiply – to improve numeracy confidence and skills for adults who don't hold a L2
- education and training services funded by the Shared Prosperity Fund/ HMT Guarantee

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## Adult Learning continued:

Challenges:

- Reduced/reducing range of L2 and L3 courses
- AEB grant funding not increasing for 25+ years despite cost increases
- Limited rates increases for qualifications
- Provider Advanced Learner Loan allocation not matching demand
- ESF funding ceased

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**From:** Rory Love, Cabinet Member for Education and Skills  
Sarah Hammond, Corporate Director of Children, Young People and Education

**To:** Children's, Young People and Education Cabinet Committee – 16 May 2024

**Subject:** Specialist Nursery Intervention Service Level Agreement Extension

Key decision

**Classification:** Unrestricted

**Past Pathway of report:** N/A

**Future Pathway of report:** N/A

**Electoral Division:** All

**Summary:** This report brings forward an element of the Early Years Review, presented to CYPE Cabinet Committee in January 2024, to allow sufficient timescales to phase in potential change for Specialist Nursery Interventions.

**Recommendation(s):**

The Children's, Young People and Education Cabinet Committee is asked to CONSIDER and ENDORSE, or MAKE RECOMMENDATIONS to the Cabinet Member for Integrated Children's Services on the proposed decision to:

- A) Extend the existing Service Level Agreements for Specialist Nursery Intervention for one year from 1 September 2024 to 31 August 2025
- B) Delegate decisions and necessary actions, including the award and the implementation of the extensions, to the Corporate Director for Children, Young People and Education, or other Officer as instructed by the Corporate Director for Children, Young People and Education, in consultation with the Cabinet Member.

## 1. Introduction

1.1 In November 2022, the Director of Education and SEND requested a comprehensive review of Early Years education in Kent. This was presented to the Children's, Young People and Education Cabinet Committee in January 2024. Following the public consultation, a further report will be presented to the Cabinet Committee in July 2024.

1.2 The scope of the review was to:

- Understand the quality and impact of the early years childcare and education provision in Kent, especially in relation to SEND and inclusive practice.
- Understand the quality and impact of the different elements of that provision, including processes and systems associated with the allocation of funding and resources.
- Understand the total investment from Children, Young People and Education (CYPE) in the provision.
- Understand how it all fits together.
- Provide evidence-based recommendations about future developments of the provision.
- Provide evidence-based recommendations that can be incorporated into a strategy for early years education in Kent.

1.3 This report brings forward a proposal to extend the Service Level Agreements for the Specialist Nursery Intervention for a further year, to allow for the required timescales for the review of a new SLA to include potential changes to be implemented, as determined by the outcome of the Public Consultation.

## **2. Current provision and context**

2.1. Kent County Council (KCC) commissions the Specialist Nursery Intervention from 11 Special Schools across the county through SLAs that expire on 31 August 2024. The service focuses on the identification and assessment of children with SEND.

2.2. The public consultation for Early Years Education in Kent commenced on 11 March 2024 and ends on 5 May 2024. [Early Years Education in Kent – supporting settings to embed inclusive practice | Let’s talk Kent](#)

2.3. The consultation is seeking views on five key recommendations identified in response to issues and challenges identified within the Early Years Review.

2.4. It is also seeking views on six proposals related to how a refreshed model of universal, targeted and specialist support could work differently in the future. These proposals aim to address concerns identified within the review relating to levels of bureaucracy within the current system, freeing up capacity within existing resources to provide more direct support to young children in their early years settings and supporting earlier identification of need.

2.5. It includes the following proposal in relation to the Specialist Nursery Intervention:

- The Specialist Nursery Intervention will continue to work with individual children and will provide support directly to children in their mainstream settings without the need for the child to attend a special school setting, as is (predominantly) the current model. This will support children to develop skills within their mainstream setting and build confidence within that setting to support them. Specialist nursery places will still be available for children to go to who need specialist support for a prolonged time, and the process for agreeing these placements will change and will



be determined by a multi-agency team who work with and understand the needs of the child.

2.6. Pending the outcome of the public consultation, a one-year extension of the existing SLAs would be required to implement any proposed changes to the current model. It was originally intended that agreement to do this would be sought at the Children, Young People and Education Cabinet Committee in July 2024, alongside recommendations for Key Decisions in relation to the refreshed model. However, headteachers of schools holding the current SLAs have raised concerns in relation to this timeline due to the following factors:

- decisions related to the Specialist Nursery Intervention intake for Term 1 of 2024-2025 academic year would need to take place prior to a decision being made in July.
- a decision to extend the SLAs made in July would not allow sufficient time for their school governing bodies to consider and agree (or not) the SLA prior to the end of term.

2.7. Therefore, agreement to extend the SLAs is being sought now, ahead of a Key Decision related to a future model, which will be presented in July 2024 following the period of public consultation.

### **3. Commissioning Intentions**

3.1. If agreed, the current SLAs would be extended for one year from 1 September 2024 to 31 August 2025.

3.2. If a change to the existing model is agreed, following the public consultation, a new SLA would be developed as part of an implementation plan. A one-year extension would be sufficient to ensure that any changes to existing services are implemented by 1 September 2025.

3.3. Any future activity will be considered within the strategic context of:

- The Council's commitment in discharging its statutory duty for children and young people with SEND.
- The Council's drive for greater inclusion of children with SEND in mainstream settings and schools as outlined in the Countywide Approach to Inclusive Education (CATIE).
- Framing Kent's Future
- Securing Kent's Future
- Delivery of the Safety Valve and the Accelerated Progress Plan (APP).

3.4. These actions will support Framing Kent's Future through:

- Priority 1: Levelling Up Kent and our commitment to maintain KCC's strategic role in supporting schools in Kent to deliver accessible, high quality education provision for all families, specifically: Maintain improvement support services for all Kent schools, including maintained schools and academies, to maintain Kent's high-quality education system.

- Priority 4: New Models of Care and Support and our commitment is to support the most vulnerable children and families in our county, ensuring our social work practice supports manageable caseloads, reflective learning, joined up safeguarding and effective corporate parenting arrangements, specifically: Respond to national policy changes on SEND provision, work with SEND families to rapidly improve the service provided to SEND children and work with mainstream schools so more can accept and meet the needs of children with SEND, increasing choice and proximity of school places.

3.5. While both of the above priorities apply directly to schools, it is reasonable to extend the application of these to the earliest years of children's education provided through early years settings and childminders.

3.6. These actions will support Securing Kent's Future by:

- Supporting Objective 1 in bringing the 2023-2024 budget back into balance through cost avoidance achieved by supporting more children in mainstream schools from the outset of their statutory education and avoiding the use of non-maintained independent special school placements.
- Further transforming the operating model of the Council (Objective 4) by making processes less time-consuming and bureaucratic we can free up our resource to focus on working directly with children and the providers that support them. A greater focus on understanding and demonstrating impact will enable more effective decision making about how and where to focus the use of resources.

#### **4. Other Considerations**

4.1. As noted above, the outcomes of the public consultation in relation to the Early Years review will be presented to this Committee in July 2024. The option to seek agreement to extend the existing specialist nursery intervention service levels agreement at the same time was considered and ruled out. The two primary reasons for this are:

- referrals for a new intake of children into the service for term one of 2024-2025 academic year begin end May 2024. Delaying the decision to extend the SLA until July would impede this process creating uncertainty for children, their families and the nurseries themselves.
- The governing bodies of schools holding the SLA will need sufficient time to consider and agree signing the extension. Headteachers of these schools have told us that the time between when a decision taken in July could be implemented and when the school term ends, does not leave enough time for this process to be completed.

#### **5. Financial Implications**

5.1. Spend on the Specialist Nursery Intervention was £1,829,409 (2022–2023) and £1,908,074 (2023-2024).

5.2. It is proposed that a 2% increase is applied for 2024-2025, therefore the cost would increase to £1,946,235.

5.3 This is funded from the High Needs Block of Dedicated Schools Grant provided by the Department of Education. Spend is reported within the Schools Delegated Budget key service line presentation of the 2024-2025 Medium Term Financial Plan. This is not a direct cost to the General Fund.

## **6. Legal implications**

6.1. The current SLAs would be extended using the same terms and conditions that the schools have already agreed to. Legal advice will be sought on any future SLA.

## **7. Equalities implications**

7.1. An Equalities Impact Assessment was completed as part of the Early Years Review public consultation. This will be updated following the completion of the public consultation.

## **8. Governance**

8.1. Accountability for statutory functions in relation to Sufficiency and SENIF, Safety Valve and Accelerated Progress Plan sits with Corporate Director for Children, Young People and Education. Responsibility sits with the Director for Education and Special Education Needs.

## **9. Conclusions**

9.1. A detailed review of Early Years education provision in Kent has been undertaken and several proposals related to a refreshed model of universal, targeted and specialist support are currently under public consultation.

9.2. One of these proposals relates to the Specialist Nursery Intervention service. The SLAs for this service end on 31 August 2024.

9.3. A one-year extension of the current SLA is required to implement a future model.

9.4. The extension is being requested ahead of any Key Decision in relation to the future model to ensure that the intake of children into the service for Term 1 of 2024-2025 academic year is not negatively impacted and to enable sufficient time for governing bodies of SLA holding schools to agree to signing the SLA for a further year.

## **10. Recommendation(s):**

The Children, Young People and Education Cabinet Committee is asked to CONSIDER and ENDORSE, or MAKE RECOMMENDATIONS to the Cabinet Member for Integrated Children's Services on the proposed decision to:

A) Extend the existing Service Level Agreements for Specialist Nursery Intervention for one year from 1 September 2024 to 31 August 2025

B) Delegate decisions and necessary actions, including the award and the

implementation of the extensions, to the Corporate Director for Children, Young People and Education, or other Officer as instructed by the Corporate Director for Children, Young People and Education, in consultation with the Cabinet Member.

## **Background Documents**

### **EQIA**

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# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

**DECISION TO BE TAKEN BY:**

Rory Love, Cabinet Member for Education and Skills

**DECISION NO:**

24/00027

For publication *[Do not include information which is exempt from publication under schedule 12a of the Local Government Act 1972]*

**Key decision:** YES

**Subject Matter / Title of Decision - Specialist Nursery Intervention Service Level Agreement Extension****Decision:**

As Cabinet Member for Education and Skills, I agree to:

A) Extend the existing Service Level Agreements for Specialist Nursery Intervention for one year from 1 September 2024 to 31 August 2025

B) Delegate decisions and necessary actions, including the award and the implementation of the extensions, to the Corporate Director for Children, Young People and Education, or other Officer as instructed by the Corporate Director for Children, Young People and Education, in consultation with the Cabinet Member.

**Reason(s) for Decision:**

- Decision required because total value will exceed £1m and impacts all districts of the Local Authority.

**Background**

This decision brings forward an element of the Early Years Review, presented to CYPE Cabinet Committee in January 2024, specifically the decision to extend the existing Specialist Nursery Intervention Service Level Agreements for one year.

The Specialist Nursery Intervention focuses on the identification and assessment of young children, aged five years and below, with Special Education Needs and Disabilities (SEND). Children attend the specialist nursery setting on average for nine hours a week for two terms, whilst also attending their existing mainstream setting. This equates to three, three-hour sessions a week (or average nine hours in total per week). This can be extended if required. There are three intakes a year. If children are referred and accepted, they will typically have to wait until the start of the next term to attend.

A refreshed model of universal, targeted and specialist support for Early Years education in Kent has been subject to a public consultation that closes on 5 May 2024. One of the proposals outlined in the consultation is that the Specialist Nursery Intervention will continue to work with individual children but will provide support directly to children in their mainstream settings without the need for the child to attend a special school setting, as is (predominantly) the current model. This will support children to develop skills within their mainstream setting and build confidence within that setting to support them. Specialist nursery places will still be available for children to go to who need specialist support for a prolonged time, however the process for agreeing these placements will change and will be

determined by a multi-agency team who work with and understand the needs of the child.

The current Specialist Nursery Intervention Service Level Agreements (SLA) expire 31 August 2024. An extension of the existing SLAs for one academic year (from 1 September 2024 to 31 August 2025) is required to ensure continuity of support and minimise disruption to children, their families and the settings that support them while any potential change to the model, determined by the outcomes of the agreed following the public consultation, can be implemented for 1 September 2025.

## **Securing Kent's Future – Budget Recovery Strategy**

The proposal to implement a refreshed model of Specialist Nursery Intervention will support Framing Kent's Future Priorities 1 and 4 as outlined below:

**Priority 1:** Levelling Up Kent and our commitment to maintain KCC's strategic role in supporting schools in Kent to deliver accessible, high quality education provision for all families, specifically: maintain improvement support services for all Kent schools, including maintained schools and academies, to maintain Kent's high-quality education system.

**Priority 4:** New Models of Care and Support and our commitment to support the most vulnerable children and families in our county, specifically by responding to national policy changes on SEND provision, work with SEND families to rapidly improve the service provided to SEND children and work with mainstream schools so more can accept and meet the needs of children with SEND, increasing choice and proximity of school places.

While both above priorities only reference schools directly, it is reasonable to extend the application of these principles to the earliest years of children's education provided through early years settings and childminders.

These actions will support Securing Kent's Future by:

- Supporting Objective 1 in bringing the 2023-2024 budget back into balance through cost avoidance achieved by supporting more children in mainstream schools from the outset of their statutory education and avoiding the use of non-maintained independent special school placements.
- Further transforming the operating model of the Council (Objective 4) by making processes less time-consuming and bureaucratic we can free up our resource to focus on working directly with children and the providers that support them. A greater focus on understanding and demonstrating impact will enable more effective decision making about how and where to focus the use of resources.

## **Consultation**

The proposal to implement a refreshed model of Specialist Nursery Intervention is out for public consultation as part of the Early Years Education in Kent consultation. This consultation closed 5 May 2024.

The proposal to extend the existing SLAs in order to enable to implementation of any agreed new model is not subject to public consultation.

## **Equalities Assessment**

An Equalities Impact Assessment has been completed as part of the Early Years public consultation. This will be updated following the completion of the public consultation.

## **Financial Implications**

Spend on the Specialist Nursery Intervention was £1,829,409 (2022 – 2023) and £1,908,074 (2023 - 2024).

It is proposed that a 2% increase is applied for 2024-2025, therefore the cost would increase to £1,946,235.

This is funded from the High Needs Block of Dedicated Schools Grant provided by the Department of Education. Spend is reported within the Schools Delegated Budget key service line presentation of the 2024-2025 Medium Term Financial Plan. This is not a direct cost to the General Fund.

#### **Data Protection Impact Assessment**

Data protection implications will be considered for the development of any new SLAs that are implemented from September 2025 onwards, pending the outcome of formal public consultation.

#### **Cabinet Committee Recommendations and Other Consultation:**

This decision will be considered at the meeting of the Children's, Young People and Education Cabinet Committee on 16 May 2024.

#### **Any Alternatives Considered and Rejected:**

Two further options were considered in relation to the proposal to extend the current SLAs for one academic year.

These were:

- Do not extend the SLAs
- Submit the proposal to extend the SLAs in July 2024 alongside the outcomes of the public consultation.

The option to not extend the SLAs was considered and ruled out for the following reasons:

- negative impact on children and their families of ending the service.
- the need to have a service in place as an interim measure while a refreshed model is implemented, supporting continuity of support for children and their families.
- ending the SLAs a year before a potential new model is implemented would result in loss of staff and the associated skills, knowledge and experience.
- ending the SLAs would mean that if a refreshed model is agreed a new process would need to be undertaken to identify new providers, who would then need to recruit staff and mobilise the new service – creating a delay in implementation of any refreshed model.

The option to submit the proposal to extend the SLAs in July 2024 alongside the outcomes of the public consultation was considered and ruled out. The two primary reasons for this are:

- referrals for a new intake of children into the service for term one of 2024-2025 academic year begin end May 2024. Delaying the decision to extend the SLAs until July would impede this process creating uncertainty for children, their families and the nurseries themselves.
- The governing bodies of schools holding the SLAs will need sufficient time to consider and agree signing the extension. Headteachers of these schools have told us that the time between when a decision taken in July could be implemented and when the school term ends, does not leave enough time for this process to be completed.

**Any interest declared when the decision was taken, and any dispensation granted by the Proper Officer:** None

.....  
signed

.....  
date



## EQIA Submission Draft Working Template

If required, this template is for use prior to completing your EQIA Submission in the EQIA App.

You can use it to understand what information is needed beforehand to complete an EQIA submission online, and also as a way to collaborate with others who may be involved with the EQIA.

Note: You can upload this into the App when complete if it contains more detailed information than the App asks for and you wish to retain this detail.

### Section A

#### 1. Name of Activity (EQIA Title):

Early Years Review

#### 2. Directorate

Children Young People Education

#### 3. Responsible Service/Division

Commissioning

### Accountability and Responsibility

#### 4. Officer completing EQIA

Note: This should be the name of the officer who will be submitting the EQIA onto the App.

Suzanne Tram

#### 5. Head of Service

Note: This should be the Head of Service who will be approving your submitted EQIA.

Christy Holden?

#### 6. Director of Service

Note: This should be the name of your responsible director.

Christine McInnes – Director of Education and SEND

### The type of Activity you are undertaking

#### 7. What type of activity are you undertaking?

**Service Change** – operational changes in the way we deliver the service to people. Answer Yes/No

Yes

**Service Redesign** – restructure, new operating model or changes to ways of working. Answer Yes/No

Yes

**Project/Programme** – includes limited delivery of change activity, including partnership projects, external funding projects and capital projects. Answer Yes/No

No

**Commissioning/Procurement** – means commissioning activity which requires commercial judgement. Answer Yes/No

No

<b>Strategy /Policy</b> – includes review, refresh or creating a new document. Answer Yes/No
Yes
<b>Other</b> – Please add details of any other activity type here.
<b>8. Aims and Objectives and Equality Recommendations</b> – Note: You will be asked to give a brief description of the aims and objectives of your activity in this section of the App, along with the Equality recommendations. You may use this section to also add any context you feel may be required.
<p>The purpose of undertaking a review of early years is to understand the current early years position in Kent, especially in response to increases in demand for support, increases in complexity of need and in light of the Council’s strategic direction in relation to greater inclusion of children with Special education needs and disabilities within mainstream settings and schools.</p> <p>The review takes place within a local and national picture of emerging challenges, such as increasing numbers of Education and Health Care Plans (EHCPs) requests for children aged under five and significant staff retention and recruitment issues within the workforce.</p> <p>The review aims to identify best practices within a complex system and areas that the local authority has an ability to influence changes, introduce effective systems to mitigate issues and improve outcomes for children aged under five, so they have the best start in life.</p>
<b>Section B – Evidence</b>
<i>Note: For questions 9, 10 &amp; 11 at least one of these must be a 'Yes'. You can continue working on the EQIA in the App, but you will not be able to submit it for approval without this information.</i>
<b>9. Do you have data related to the protected groups of the people impacted by this activity? Answer: Yes/No</b>
Yes
<b>10. Is it possible to get the data in a timely and cost effective way? Answer: Yes/No</b>
Yes
<b>11. Is there national evidence/data that you can use? Answer: Yes/No</b>
Yes
<b>12. Have you consulted with Stakeholders?</b> <i>Answer: Yes/No</i> <i>Stakeholders are those who have a stake or interest in your project which could be residents, service users, staff, members, statutory and other organisations, VCSE partners etc.</i>
Yes
<b>13. Who have you involved, consulted and engaged with?</b> <i>Please give details in the box provided. This may be details of those you have already involved, consulted and engaged with or who you intend to do so with in the future. If the answer to question 12 is 'No', please explain why.</i>
SEN Professionals within KCC, including SENIF practitioners, Portage practitioners The Education People – Early Years and Childcare Service team

Specialist Intervention nursery staff, including managers and headteachers  
 Parents and Families  
 Early years and Childcare providers, including nurseries, pre-schools, childminders  
 Health visitors  
 Other local authorities  
 Early help workers

**14. Has there been a previous equality analysis (EQIA) in the last 3 years? Answer: Yes/No**

No

**15. Do you have evidence/data that can help you understand the potential impact of your activity?**

*Answer: Yes/No*

Yes

**Uploading Evidence/Data/related information into the App**

*Note: At this point, you will be asked to upload the evidence/ data and related information that you feel should sit alongside the EQIA that can help understand the potential impact of your activity. Please ensure that you have this information to upload as the Equality analysis cannot be sent for approval without this.*

**Section C – Impact**

**16. Who may be impacted by the activity? Select all that apply.**

Service users/clients - *Answer: Yes/No*

Yes

Residents/Communities/Citizens - *Answer: Yes/No*

Yes

Staff/Volunteers - *Answer: Yes/No*

Yes

**17. Are there any positive impacts for all or any of the protected groups as a result of the activity that you are doing? Answer: Yes/No**

Yes

**18. Please give details of Positive Impacts**

- The review aims to bring improved equity for service users, by having a consistent offer of support across the county where there is currently a disconnect within the system and variations of support between districts.
- Service users will have a more defined pathway of support, with clear information and communications provided.
- Processes will be less bureaucratic and more streamlined so that capacity is improved for all parties involved because there is less administration involved in applications, specifically for processes linked to funding.
- Service users will be at the centre of any future models of service changes and their involvement and voice will be key to informing any changes.

**Negative Impacts and Mitigating Actions**

The questions in this section help to think through positive and negative impacts for people affected by your

activity. Please use the Evidence you have referred to in Section B and explain the data as part of your answer.

**19. Negative Impacts and Mitigating actions for Age**

**a) Are there negative impacts for Age?** Answer: Yes/No  
(If yes, please also complete sections b, c, and d).

No

**b) Details of Negative Impacts for Age**

**c) Mitigating Actions for Age**

**d) Responsible Officer for Mitigating Actions - Age**

**20. Negative Impacts and Mitigating actions for Disability**

**a) Are there negative impacts for Disability?** Answer: Yes/No  
(If yes, please also complete sections b, c, and d).

No

**b) Details of Negative Impacts for Disability**

**c) Mitigating Actions for Disability**

**d) Responsible Officer for Mitigating Actions - Disability**

**21. Negative Impacts and Mitigating actions for Sex**

**a) Are there negative impacts for Sex?** Answer: Yes/No  
(If yes, please also complete sections b, c, and d).

No

**b) Details of Negative Impacts for Sex**

**c) Mitigating Actions for Sex**

<b>d) Responsible Officer for Mitigating Actions - Sex</b>
<b>22. Negative Impacts and Mitigating actions for Gender identity/transgender</b>
<b>a) Are there negative impacts for Gender identity/transgender? Answer: Yes/No</b> <i>(If yes, please also complete sections b, c, and d).</i>
No
<b>b) Details of Negative Impacts for Gender identity/transgender</b>
<b>c) Mitigating actions for Gender identity/transgender</b>
<b>d) Responsible Officer for Mitigating Actions - Gender identity/transgender</b>
<b>23. Negative Impacts and Mitigating actions for Race</b>
<b>a) Are there negative impacts for Race? Answer: Yes/No</b> <i>(If yes, please also complete sections b, c, and d).</i>
No
<b>b) Details of Negative Impacts for Race</b>
<b>c) Mitigating Actions for Race</b>
<b>d) Responsible Officer for Mitigating Actions – Race</b>
<b>24. Negative Impacts and Mitigating actions for Religion and belief</b>
<b>a) Are there negative impacts for Religion and Belief? Answer: Yes/No</b> <i>(If yes, please also complete sections b, c, and d).</i>
No

<b>b) Details of Negative Impacts for Religion and belief</b>
<b>c) Mitigating Actions for Religion and belief</b>
<b>d) Responsible Officer for Mitigating Actions - Religion and belief</b>
<b>25. Negative Impacts and Mitigating actions for Sexual Orientation</b>
<b>a) Are there negative impacts for sexual orientation. Answer:</b> <i>Yes/No (If yes, please also complete sections b, c, and d).</i>
No
<b>b) Details of Negative Impacts for Sexual Orientation</b>
<b>c) Mitigating Actions for Sexual Orientation</b>
<b>d) Responsible Officer for Mitigating Actions - Sexual Orientation</b>
<b>26. Negative Impacts and Mitigating actions for Pregnancy and Maternity</b>
<b>a) Are there negative impacts for Pregnancy and Maternity? Answer: Yes/No</b> <i>(If yes, please also complete sections b, c, and d).</i>
No
<b>b) Details of Negative Impacts for Pregnancy and Maternity</b>
<b>c) Mitigating Actions for Pregnancy and Maternity</b>

<b>d) Responsible Officer for Mitigating Actions - Pregnancy and Maternity</b>
<b>27. Negative Impacts and Mitigating actions for marriage and civil partnerships</b>
<b>a) Are there negative impacts for Marriage and Civil Partnerships?</b> <i>Answer: Yes/No</i> <i>(If yes, please also complete sections b, c, and d).</i>
No
<b>b) Details of Negative Impacts for Marriage and Civil Partnerships</b>
<b>c) Mitigating Actions for Marriage and Civil Partnerships</b>
<b>d) Responsible Officer for Mitigating Actions - Marriage and Civil Partnerships</b>
<b>28. Negative Impacts and Mitigating actions for Carer's responsibilities</b>
<b>a) Are there negative impacts for Carer's responsibilities?</b> <i>Answer: Yes/No</i> <i>(If yes, please also complete sections b, c, and d).</i>
No
<b>b) Details of Negative Impacts for Carer's Responsibilities</b>
<b>c) Mitigating Actions for Carer's responsibilities</b>
<b>d) Responsible Officer for Mitigating Actions - Carer's Responsibilities</b>

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From: **Rory Love, Cabinet Member for Education and Skills**

**Sarah Hammond, Corporate Director of Children, Young People and Education**

**Christine McInnes, Director of Education and SEN**

To: **Children Young People and Education Cabinet Committee**  
**16 May 2024**

Subject: **Kent SEND transformation projects:**  
The Locality Model for Special Educational Needs Inclusion, Special School Review and Specialist Resource Provision Review

Classification: **Unrestricted**

Past Pathway of report: **CYPE DMT 27 March 2024**

Future Pathway of report: None

**Summary:** The aim of this report is to set out:

- The background pressures facing KCC and why the Council must respond
- Why the 3 initiatives of Locality Model for SEN, Special School Review and review of Specialist Resource Provision support system-wide change
- Next steps

**Recommendation(s):**

The CYPE Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member Education and Skills on the proposed decision to progress the following 3 items and their recommendations:

- The Locality Model for Special Educational Needs Inclusion
- Special School Review, and
- Specialist Resource Provision Review

**Editor's Note: This report is the first one in a suite of four reports to CYPE Cabinet 16 May 2024 and should be read in conjunction with these:**

- The Locality Model for Special Educational Needs Inclusion
- Special School Review
- Specialist Resource Provision Review Update

**1. Introduction**

1.1 This report, '**Kent SEND transformation projects**', will set out how the preceding collective months of work on the Kent SEN system is coming together to implement cohesive system-wide change. This report, and the 3 following items (The Locality Model for Special Educational Needs Inclusion, Special School Review and Specialist Resource Provision Review), will set out a proposed transformation of the entire spectrum of SEN support, which are designed collectively, to improve outcomes for Kent's most vulnerable children. This will include:

- A Locality Model for inclusion, that supports and encourages an increase in mainstream participation for those children where it is appropriate to do so,
- Use of a common language and continuum of need that all provisions in Kent work within,
- The Special School Review, seeking to evaluate the provision of state-funded special school places and ensuring an efficient use of resources for children with EHC plans,
- Ensuring Kent can provide places for those children and young people with severe and complex special educational needs,
- The Specialist Resource Provision (SRP) Review, which endeavours to evaluate the viability of existing SRPs, propose changes where necessary to ensure primary and secondary school SRP provision aligns, and establish clear decision -making protocols for the identification and implementation of new provision.

1.2 In May 2023, at Kent County Council’s (KCC) Children Young People and Education (CYPE) Cabinet Committee, the Countywide Approach to Inclusive Education (CATIE)<sup>1</sup> was set out as KCC’s strategy for 2023-28. CATIE’s Priority Two is to “Provide additional intervention and support with engagement and integration”, which aims to develop community working and implement structures that will support children and young people with Special Educational Needs and Disabilities (SEND) in Kent. The Locality Model has been developed to address these needs.

1.3 The Local Authority began a comprehensive evaluation of state-funded special schools across the County in December 2022, which is ongoing. Led by Local Authority Officers in collaboration with key stakeholders across Education and Health, the review aims to ensure that KCC meet legislative duties effectively whilst ensuring children and young people with SEND access education in the most suitable educational setting.

1.4 Since June 2023, KCC has undertaken a review of the Specialist Resource Provision across the county encompassing both Primary and Secondary settings. Phase one reviewed, updated and issued Contract and Service Level Agreements between September 2023 to December 2023. Subsequently a new monitoring and governance process was developed to evaluate the performance of existing SRPs. The next phase involves conducting a district level assessment of the SRP primary to secondary pathway to ensure equitable provision for all children and young people throughout the county

1.5 How the initiatives support the requirements set out in ‘**Framing Kent’s Future**’ and ‘**Securing Kent’s Future**’ are detailed in the following 3 papers.

1.6 The aim of this report is therefore to set out:

- The background pressures facing KCC and why the Council must respond
- Why the 3 initiatives support system-wide change and each other
- Next steps

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<sup>1</sup> Link provided at 10.1

## 2. Report detail

### Background pressures

- 2.1 Under the Children and Families Act 2014 councils in England must support children, young people, and families, with SEND. Ofsted and the Care Quality Commission jointly inspect how well this is done in each area. In 2019, the joint inspection identified nine areas of weakness in the Kent area's effectiveness in implementing disability and SEN reforms. One of these nine areas found Kent has 'a variable quality of provision and commitment to inclusion in schools, and a lack of willingness of some schools to accommodate children and young people with SEND'. KCC was issued with an Improvement Notice on 31 March 2023, as a re-visit in 2022 had assessed that the local area had failed to make sufficient progress against all nine areas of weakness. This required KCC to produce an Accelerated Progress Plan (APP) to deliver appropriate and sustainable improvement<sup>2</sup>.
- 2.2 In 2022, as part of KCC's work to address some of the inspection's areas of weakness, an independent review of funding for children and young people with SEN in Kent mainstream schools was undertaken<sup>3</sup>. The review formed part of KCC's work to improve the lived experience for children and young people with SEN, and that of their parents, carers, and families. The review found KCC has the highest High Needs Block (HNB) grant funding provided by the government, of all the shire counties (£734 per resident, compared to an average of £614), with spend exceeding annual budget allocations. As a result, KCC has built up a significant overspend which is unsustainable. Despite this higher-than-average allocation, KCC has seen little impact on improved school experience and outcomes, or parental satisfaction. Even with the increasing amount of funding spent on supporting pupils with high needs, demand for specialist provision and places has continued to grow. This suggests the current system is not working as well as it could to get the best outcomes for pupils.
- 2.3 Financial pressures are an important consideration for KCC, and for Kent residents. KCC, like many other councils in the country, has found the costs of delivering services to support children with SEN has grown faster than increases in the HNB. This has resulted in KCC incurring an annual overspend of up to £50 million (15%), of which around £10m has been funded by primary & secondary school contributions, and the remainder of the balance accumulating in a total deficit of £140 million by March 2023. To address the overspend in the HNB in 2022 KCC entered into a Safety Valve agreement with the Department for Education (DfE)<sup>4</sup>. The agreement means the DfE is making a £140 million contribution towards the accumulating deficit, alongside a further £82 million contribution from KCC itself, to balance the high needs budget by 2027-28. This avoids the need to otherwise impose £140 million of spending reductions in council services for SEN.
- 2.4 Recognising change is needed nationally, not just in Kent, the government published the SEND and Alternative Provision (AP) Improvement Plan in March

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<sup>2</sup> Link for further information at 10.2

<sup>3</sup> Available on request

<sup>4</sup> Link at 10.3

2023<sup>5</sup>. This communicated a vision for new local SEND partnerships that will create evidence-based Local Inclusion Plans, which ‘set out how the needs of children and young people in the local area will be met in line with National Standards’ . The government’s SEND and AP Improvement Plan is a step towards a more effective, and sustainable high needs system, that works for children, young people, and their families, but implementing this nationally will take time, Kent’s position (following the Ofsted visits and due to the financial challenge) means KCC must act now.

#### System-wide change

- 2.5 The Locality Model creates structures for SEN support and services to be accessed and delivered in a new way, which makes better use of local education and SEN expertise. The Locality Model requires KCC, schools, the NHS, and other SEN service providers to work together more effectively, in geographically based Clusters, to secure improvements. Full details on the Locality Model can be found in the adjoined report ‘The Locality Model for SEN Inclusion’.
- 2.6 The Special School Review proposes a clear and straightforward criteria for children considered appropriate for special school provision. This initiative aims to align with the criteria observed in comparable Local Authorities and facilitate the provision of a tailored curriculum in a specialised educational setting for children and young people with an EHC plan and severe and complex needs. Additionally, in collaboration with the SRP review, both strive to improve and standardise the curriculum and provision across mainstream and SRP settings, allowing all children to access suitable education tailored to their needs within their local community setting where possible.

#### Next Steps

- 2.7 The next steps are:
- Agree the Kent SEN continuum (to include all settings i.e. mainstream schools, specialist resource provision, alternative provision and special schools)
  - Complete financial modelling for allocation of cluster budgets across the county
  - Agree a tariff system that supports the Kent SEN continuum and financial sustainability
  - Implement system-wide change for SEN in Kent, aligning the Special School Review, Specialist Resource Provision and Locality Model initiatives.

### **3. Financial Implications**

- 3.1 The services covered in both this report and accompanying reports are all expected to be fully funded from the High Needs Block of the Dedicated Schools Grant provided by Department of Education (totalling over £310m annually). Further information is provided in section 2.3 of this report and the outcome of these reviews are expected to support the Council to return to a financially sustainable position in the longer term.

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<sup>5</sup> Link at 10.4

- 3.2 Kent's Safety Valve agreement with the DfE states:  
"The authority agrees to implement the DSG management plan that it has set out. This includes action to:
- 3.1. Implement a countywide approach to 'Inclusive Education', to further build capacity in mainstream schools to support children and young people with Special Educational Needs and Disabilities (SEND), thus increasing the proportion of children successfully supported in mainstream education and reducing dependence on specialist provision
  - 3.7. Ensure there is sufficient and consistent capacity across the county to support children with severe and complex needs in their local area where possible
  - 3.8. Develop a school/area-led approach to commissioning of SEN support services (Locality Based Resources), to better respond to the needs of children and young people with SEND"
- (page 2 and 3 DfE Dedicated Schools Grant 'Safety Valve' Agreement: Kent)*
- 3.3 Kent must implement a sustainable approach to High Needs Funding to meet the DfE Safety Valve agreement and to ensure financial sustainability in this area moving forwards.

#### **4. Legal implications**

##### Locality Model

- 4.1 Legal advice on the Locality Model consultation was sought from Legal Services and the comments and suggestions from Bevan Brittan were incorporated into the final consultation documents. Local Authorities must follow government guidance on the Children and Families Act (2014)<sup>6</sup>, the distribution of their High Needs Funding Block<sup>7</sup> and work under the SEND Code of Practice 2015<sup>8</sup>, these guidance documents were used in the development of the Locality Model.

##### Special School Review

- 4.2 Legal advice for the Special School Review will be sought from Legal Services in the autumn term and endorsement of future proposals by cabinet in addition to the completion of a public consultation. Any individual proposals will follow the statutory processes set out within the DfE documents: Making significant changes to an academy: January 2024 (applies from April 2024) and Making significant changes ('prescribed alterations') to maintained schools, both include the requirement to consult on proposals.

##### Specialist Resource Provision

- 4.3 Legal advice for the SRP Review will be pursued from Legal Services following the review, endorsement of proposed recommendations, and further evaluation of SRP provision at District level through planned engagement with key stakeholders. Any individual proposals will follow the statutory processes set out within the DfE documents: Making significant changes to an academy: January 2024 (applies from April 2024) and Making significant changes ('prescribed alterations') to maintained schools, both include the requirement to consult on proposals.

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<sup>6</sup> Link at 10.5

<sup>7</sup> Link at 10.6

<sup>8</sup> Link at 10.7

## **5. Equalities implications**

- 5.1 Equalities Impact Assessments (EqIA) are attached individually to the 3 relevant reports that follow this paper.

## **6. Risk and Other Factors**

- 6.1 It was a risk that the various initiatives progressing within SEN could have a detrimental impact leading to unnecessary confusion in the system. However, urgency for improvement dictated the need for all initiatives to progress. Work was ongoing to ensure these interdependencies were individually recognised and supported, but now by aligning and presenting the Locality Model, the Special School Review and Specialist Resource Provision projects we can more clearly illustrate the system-wide view of our SEN proposals. By co-ordinating the work that is underway to develop local clusters, thresholds (that will inform expectations of the different types of educational settings in Kent in a continuum of service delivery for the education system, and the types of settings, with a focus on improved outcomes for children and young people with SEN), and special school recommendations, we can cohesively improve education inclusion in Kent.

## **7. Governance**

- 7.1 Christine McInnes - Director of Education and Special Educational Needs will inherit the main delegations via the Officer Scheme of Delegation.

## **8. Conclusions**

- 8.1 In conclusion, this report outlines the collective efforts of three initiatives within the Kent SEN system to drive cohesive system-wide change. Through implementation of the Locality Model for Special Educational Needs Inclusion, the Special School Review, and the Specialist Resource Provision Review, a transformative approach to SEN support is proposed. These initiatives aim to address the challenges identified in previous inspections and reviews, ensuring that children and young people with SEND receive appropriate education and support. By aligning these projects and coordinating efforts, Kent is poised to enhance educational inclusion and meet legislative duties effectively, ultimately improving outcomes for vulnerable children across the county.

- 8.2 The next report in this series of four is The Locality Model for Special Educational Needs Inclusion.

## **9. Recommendation(s):**

- 9.1 **Cabinet Committee** - The CYPE Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member Education and Skills on the proposed decision to progress the following 3 items and their recommendations:

- The Locality Model for Special Educational Needs Inclusion
- Special School Review and
- Specialist Resource Provision Review

## **10. Background Documents**

- 10.1 CATIE Strategy 2023-28 - <https://www.kelsi.org.uk/special-education-needs/inclusion/countywide-approach-to-inclusive-education>
- 10.2 SEND Ofsted and CQC inspection information - <https://www.kent.gov.uk/education-and-children/special-educational-needs/listening-to-your-voice-and-taking-action/ofsted-and-cqc>
- 10.3 DfE and Kent Safety Valve Agreement - [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1143013/Kent\\_Safety\\_Valve\\_Agreement\\_2022\\_2023.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1143013/Kent_Safety_Valve_Agreement_2022_2023.pdf)
- 10.4 SEND and AP Improvement Plan - <https://www.gov.uk/government/publications/send-and-alternative-provision-improvement-plan>
- 10.5 Children and Families Act (2014) - <https://www.legislation.gov.uk/ukpga/2014/6>
- 10.6 HNF 2023 to 2024 Operational Guidance - <https://www.gov.uk/government/publications/high-needs-funding-arrangements-2023-to-2024/high-needs-funding-2023-to-2024-operational-guide>
- 10.7 SEND Code of Practice - <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

## 11. Contact details

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**From:** Rory Love, Cabinet Member for Education and Skills

Sarah Hammond, Corporate Director of Children, Young People and Education

Christine McInnes, Director of Education and SEN

**To:** Children’s, Young People and Education Cabinet Committee  
16 May 2024

**Subject:** 24/00026 – Adoption of the Locality Model for Special Educational Needs Inclusion

Key decision:

- It affects more than 2 Electoral Divisions AND
- It involves expenditure or savings of £1m or more

Classification: **Unrestricted**

Past Pathway of report: **CYPE DMT 27 March 2024**

Future Pathway of report: Cabinet Member decision

Electoral Division: **All electoral divisions**

**Summary:** The aim of this report is to set out:

1. Context
2. How the Locality Model will support children and young people with SEN
3. Consultation analysis
4. KCC’s response to consultation findings, including planned activity
5. Next steps

**Recommendation(s):**

CYPE Cabinet Committee is asked to consider and endorse, or make recommendations to the Cabinet Member for Education and Skills on the proposed decision to adopt the Locality Model for Special Educational Needs Inclusion in Kent

**Editor’s Note: This report is one in a suite of four reports to CYPE Cabinet 16 May 2024 and should be read in conjunction with these documents.**

- Kent SEND transformation projects
- The Locality Model for Special Educational Needs Inclusion (this report)
- Proposals for the Review of Special Schools
- Specialist Resource Provision Review

## **1. Introduction**

- 1.1 In May 2023, at Kent County Council’s (KCC) Children’s, Young People and Education (CYPE) Cabinet Committee, the **Countywide Approach to**

**Inclusive Education (CATIE)**<sup>1</sup> was set out as KCC’s strategy for 2023-28. CATIE’s Priority Two is to “Provide additional intervention and support with engagement and integration”, which aims to develop community working and implement structures that support children and young people with Special Educational Needs and Disabilities (SEND) in Kent.

- 1.2 Due to local pressures, and responding to the developing national position, KCC has been working hard on improving the standards achieved and progress made of children and young people with SEND in Kent. As part of this work a **public consultation on the proposal of a Locality Model for Special Educational Needs (SEN) Inclusion in Kent**<sup>2</sup> was undertaken between 29 November 2023 and 24 January 2024. The consultation related to proposals on provision for children and young people of statutory school age (aged 5-16-year-olds) in mainstream primary and secondary schools, and for children attending sixth form in state funded schools, a Locality Model for inclusion.
- 1.3 The aim of this report is therefore to set out:
- The context
  - How the Locality Model will support children and young people with SEN
  - Consultation analysis
  - KCC’s response to consultation findings, including planned activity
  - Next steps

## 2. Report detail

### Context

- 2.1 As defined in the report ‘**Kent SEND transformation projects**’ The Locality Model has been developed to respond to the CATIE Strategy, and other stressors within the current system. In delivering structures that will facilitate local schools and relevant professionals working together, the Locality Model will increase local knowledge, improve decision-making through greater collaborations, and improve the timely identification of resources required to support children and young people with SEN.
- 2.2 Research by the **Department for Education (DfE)**<sup>3</sup> shows that more consistent and effective support in mainstream schools leads to positive outcomes for children and young people and helps parents to have greater confidence in the mainstream offer for their child. The Locality Model requires KCC, schools, the NHS, and other SEN service providers to work together more effectively, in geographically based Clusters, to secure such improvements. The Locality Model aims to enable SEN support, and services, to be accessed more easily and delivered in a new, more sustainable way. KCC believes this will help pupils to thrive at school, be valued, visible, and supported to feel that they are included in their local communities, and are better prepared for a happy, healthy, and productive adulthood.
- 2.3 Kent schools currently operate individually; making decisions involving pupils with SEN without much opportunity to make these collaboratively, to moderate the thresholds used, or to make decisions across groups of schools. The current system for allocating High Needs Funding (HNF) encourages this

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<sup>1</sup> Link at 10.1

<sup>2</sup> Link at 10.2

<sup>3</sup> Link at 10.3

approach and does nothing to support those schools that would prefer to take a more collaborative or strategic approach to supporting the needs of children with a similar profile of needs through, for example, commissioning support across a group of schools. This has led to the inconsistencies found in mainstream SEN inclusion and provision, as identified in the area inspection (2019) and re-visit (2022). Some pupils in Kent are potentially placed in specialist provision who would be educated successfully in mainstream settings in other local authorities, or in other mainstream schools within the county.

- 2.4 The Locality Model directly aligns with KCC's strategic vision for children, young people, and families, as set out in '**Framing Kent's Future**'<sup>4</sup> (Priority 1: Levelling up Kent). This explains that: 'We will maintain improvement support services for all Kent schools, including maintained schools and academies, to maintain Kent's high-quality education system'. The Locality Model will implement structures that are designed to increase the inclusion of children and young people with SEN in mainstream schools, so they can be educated with, and are able to access the same opportunities to education as their peers wherever possible. The aim is for children and young people with SEN in Kent to receive early and timely support. Greater numbers of children and young people are able to have their needs met within mainstream settings, or should they need specialist provision, that wherever possible, they can access this locally, close to where they live.
- 2.5 Under the Locality Model structure, available resources will be discussed by groups of schools and other SEN, education, and healthcare professionals in the local area, to determine where resource and High Needs Funding (HNF) allocations would be best directed. The final decision to allocate HNF will remain with KCC, but by discussions occurring locally, KCC aim to make better use of resources. This activity is expected to support KCC its Safety Valve aims to achieve financial sustainability in the longer term. This would align with priorities set out in '**Securing Kent's Future**'<sup>5</sup>, the next step on from Framing Kent's Future, agreed at Cabinet in October 2023.
- 2.6 The process for developing the Locality Model was iterative, and alternative options were considered within the development process; to ensure the direction is right for Kent. The professionals involved in developing and defining our options consisted of KCC staff from education, finance, and SEN, alongside leaders of education from KCC mainstream primary and secondary schools (selective and non-selective), single and multi-Academy Trusts, special schools, and free schools. The following meetings and forums were used as part of the development process: headteacher briefings and workshops, school funding forum, High Needs sub-group meetings, LIFT Executive meetings, CATIE Steering group meetings, Specialist Teaching and Learning Service workshops, Kent Parents and Carers Together (PACT) meetings.
- 2.7 Three main options were considered:
- to maintain the current system
  - to implement a Tariff system<sup>6</sup>
  - to implement a Locality Model

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<sup>4</sup> Link at 10.4

<sup>5</sup> Link at 10.5

<sup>6</sup> Tariff system: a set of rules and funding levels

- 2.8 Option one was discounted as an impracticable solution; it is not currently performing well in Kent, there is current inconsistency in mainstream SEN inclusion and provision, along with a lack of effective monitoring systems and accountability. Ofsted have stated, poor standards are achieved, and progress made, by too many pupils with SEN under the current system.
- 2.9 Option two could have been viable but was discounted due to its identified limitations. A tariff system for mainstream would provide clear and transparent arrangements with a prescriptive allocation of resources but tends to be used in conjunction with individual funding allocations for children with EHCPs, rather than for wider operations and funding of SEN Support Services. The elements of inflexibility it would bring were also considered too restrictive for SEN support services, and unsupportive of innovative use of resources for mainstream if used on its own.
- 2.10 Option three was viewed as the best path for KCC to explore and define and develop further with partners. Research finds that more consistent and effective support in mainstream schools leads to positive outcomes for children and young people. Local authorities who make substantial use of peer moderation and mainstream collaboration have found that doing so improves consistency and is a useful source of advice and support. The Locality Model is designed to improve the quality of the mainstream education offer in Kent, through early and accurate identification of need, high quality teaching of a knowledge-rich curriculum, and timely access to specialist health and care support, as well as alternative provision placements where they are needed.
- 2.11 Proposals for the Locality Model were agreed following intensive collaboration with schools, settings, and other key stakeholders, and then put out to consultation with parent/carers, young people, all professional stakeholders, and all members of the public.
- 2.12 Following consultation, subsequent analysis of feedback, and defining KCC's response to consultation feedback (section 2.25 to 2.28), the Locality Model is now presented to Cabinet as the means through which KCC will implement improved SEN inclusion in mainstream education.

#### How the Locality Model will support inclusion

- 2.13 The Locality Model creates structures for SEN support and services to be accessed and delivered in a new way, making better use of local education, health and SEN expertise. The Locality Model requires KCC, schools, the NHS, and other SEN service providers to work together more effectively, in geographically based Clusters, to secure improvements. KCC believes this will help all pupils to thrive at school, be valued, visible, and supported to feel that they are included in their local communities, and are better prepared for a happy, healthy, and productive adulthood.
- 2.14 Research by the DfE has found local authorities that make substantial use of peer moderation and mainstream collaboration show improved consistency in decision-making and find it a useful source of advice and support. KCC's current process, with its dependence on individual decisions regarding resources, means there are few opportunities for peer support and challenge,

and therefore missed opportunities for wider improvement in mainstream support provision. The Locality Model sets in place the structures (Clusters, meetings, guidance and support) that allow for peer moderation to happen on a consistent basis.

- 2.15 Adopting concepts of 'predictable' and 'exceptional' needs, which would sit in a continuum of support in Kent, will provide a framework for consistent decisions to be made, making these decisions for children and young people more reliable and transparent. The consultation response clearly showed the importance of an agreed language within the continuum and communicating consistently in a clear and understandable way to all relevant parties, this is addressed in KCC's response to the consultation feedback. The introduction of a Kent SEN continuum, linking with the Special School Review and working collaboratively across these two projects will create a solid foundation for SEN support in Kent. 'Predictable' and 'Exceptional' needs are being defined, with agreed terminology, in collaboration with mainstream, special schools and specialist resource provisions via a series of engagement events. Questionnaires were sent to all mainstream and Specialist Resource Provisions (SRP) and the data collected in the special schools' review have all been collectively analysed to create a continuum for SEN that reflects Kent needs.
- 2.16 By having a virtual 'Team around the Cluster' the Locality Model will provide the professional support and resources needed, to ensure a greater proportion of children and young people with SEN can access a high-quality, inclusive education, within a mainstream setting in their geographical area (where this is appropriate to their needs).
- 2.17 Headteachers, with the support of other members of the Cluster, would be responsible for collaboratively driving local SEN mainstream improvement. They would do this through implementing a school-to-school improvement process, and by influencing the way in which their Cluster's available collective resource and other resources for 'predictable' needs would be used.
- 2.18 The Locality Model will support KCC to use the HNF more effectively, in close collaboration with local schools and other SEN professionals. To do this KCC will make an amount of shared resource available to each Cluster (from the HNF Block), to meet 'predictable' needs of SEN support services. Financial modelling would be used to stabilise current spending. This shared resource, rather than much smaller amounts of money attached to individuals, will allow schools to explore many options, which can be used more creatively and would bring the advantage of economies of scale to purchasing support provision. KCC would remain responsible and accountable for administration of these shared resources. A Tariff system will be developed for 'exceptional' needs, informed by the continuum for SEN, ensuring money from the HNF Block can be allocated responsively and sustainably via evidence-based decision-making.
- 2.19 By implementing the Locality Model, with peer moderation at its core, there will naturally be greater transparency about the levels of funding involved, and the levels of investment schools should be making themselves (through their delegated/notional budgets), to develop expertise and capacity to support children and young people with SEN in mainstream schools. The Locality Model

will help to strengthen these expectations and ensure that the mainstream offer is more consistent in Kent. A stronger emphasis and greater transparency on schools' use of their notional SEN budgets will support schools to recognise needs that should be met from their delegated budget.

2.20 Clusters will include both primary and secondary schools to ensure they have a clear role in supporting transition arrangements for pupils. This will be achieved through a greater focus on SEN cross-phase collaborative planning within and between Clusters. Schools will have greater knowledge of levels of need and interventions that have been effective at earlier education stages, with the aim of ensuring all children who can be educated in a mainstream setting are enabled and supported to do so.

#### Consultation analysis

2.21 A summary of engagement with the consultation webpage and material during the consultation period can be seen below:

- 13,993 visits to the consultation webpage by 11,963 visitors
- Organic posts had a total of 644 clicks through to the consultation webpage and had a reach/impression of 66,202
- Paid Facebook posts had a reach of 58,299, 1,997 clicks on the link to the consultation webpage, 200,051 impressions and 132 shares

2.22 The public consultation received 832 responses, considered a good response rate for a consultation of this kind, and showing how important the subject is for parents, education professionals and others in Kent. Analysis of respondents showed the following broad split:

Parents [of children still in education]	440 (52%)
Education professionals	340 (40%)
Neither	66 (8%)

2.23 The consultation questionnaire invited respondents' views on the proposals. It contained both closed questions (based on a five-point Likert scale) and open questions. The full evaluation can be found in the **Consultation Analysis Report**<sup>7</sup>. Respondents were asked whether they agreed or disagreed that the proposed Locality Model would drive improvements to mainstream education and inclusion in the county, 59% believed they would not. The 2 highest quoted reasons for this were that mainstream education is not suitable for all students with SEN and that not enough information was given in the consultation documents for people to form an informed view on the proposals.

2.24 The feedback from the consultation highlighted the key areas we need to focus on to ensure we design a system that works for children and young people with SEN and their families. KCC's response to the consultation feedback has been documented and is included with the Consultation Analysis Report, setting out how KCC will address issues raised. The Locality Model is presented to Cabinet with the Special Schools Review and the Specialist Resource Provision as part of a joined-up approach to embed system-wide change.

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<sup>7</sup> Link at 10.6

### KCC's response to consultation

2.25 There are four main approaches to be taken to the majority of issues raised, these are:

1. Where concerns or comments have been based on misconceptions or misunderstanding, these can be directly addressed and responded to, or where there are already plans in place to address these concerns.
2. Where we have taken on board feedback and need to accelerate planned work to provide further information to consultees.
3. Where we have taken on board the comments relating to utilisation of existing local structures (e.g. Local Inclusion Forum Teams (LIFT)) and concerns around the shape and capacity of teams that would work around proposed clusters – here we intend to run Area based workshops to explore how existing structures and teams could deliver a locality-based model. We also intend to use the introduction of the “This is Me” project that has been running successfully across five primary schools in Tunbridge Wells, into Maidstone, working with schools and the NHS, utilising a cluster-based approach. The learning from both these approaches will inform the detailed operating model.
4. We will consult with schools on the detailed operating model and supporting guidance.

2.26 The highest quoted concern of the consultation was that ‘mainstream education, based on inclusion, is not suitable for all students with SEN (with concerns raised about any increase in its use)’. KCC response:

This is recognised by KCC. The development of thresholds will provide guidance on the levels of support and type of provision a child is most likely to require. Without transparent thresholds, there is likely to be inequity in provision and decision-making. The majority of local authorities have clear published thresholds. We have accelerated the work on the definitions and thresholds in order to provide more detail to schools, education professionals and parents and expect to have these ready in order to consult further over the summer period.

2.27 There was a strong feeling, and the second highest element of feedback received, that ‘not enough information has been given for [me] to be able to form a view on the proposals (more thinking is required)’. KCC response:

Agreed. This consultation was intended to be about the principle of a Locality Model only. The next stage is to work in partnership to design and test the detail. This will be through:

- The delivery of the “This is Me” project working with schools and health partners across Maidstone, using the suggested cluster groupings and working with the existing LIFT Executive and LIFT structures to also explore utilising structures already in place at a local level (also raised in the consultation responses). The focus will be on addressing parental anxiety around their child’s SEN and will be supported on the ground by Primary Care Navigators. The intention is to commence this project by

early summer 2024. This project will enable the testing of what could be the terms of reference for clusters, the infrastructure required to enable cluster working (including Team Around the cluster), and the role of Special Schools and relationship of clusters to Area level Hubs.

- Over summer 2024, we also intend to run Area based workshops with schools and key partners to “test” using the existing structures of LIFT Executive and LIFT to deliver the Locality Model beyond the Maidstone project approach.

2.28 Another concern raised by the consultation was the use of the terms ‘predictable’ and ‘exceptional’ and a lack of a full definition in the consultation documentation. We acknowledge that these actual terms may not be helpful and need re-thinking, but it is crucial that we develop transparent and accessible thresholds across the range of SEN needs to inform decisions around the most appropriate support. Also, so that education providers, those who work with them, and families, are all clear on expectations and the support a child should be receiving related to their needs and ensuring that those children with the most complex needs are able to secure a place in a Kent special school.

2.29 KCC are continuing to define these concepts, including agreeing the language used, as they form an essential part of the Locality Model and a Kent SEN continuum. The below graphic sketches out how we envisage the thresholds fitting in with the Locality Model, as well as the Special School and SRP initiatives.

2.30 KCC’s full response to the feedback provided from the consultation can be found in Appendix Two.

#### Next Steps

2.31 Following full analysis of the consultation feedback and KCC’s response, we are confident in the changes made to the proposals that were consulted on, and would like to implement the Locality Model, alongside a Kent SEN continuum, associated Tariff system and financial arrangements. The next steps for KCC are:

- Agree the Kent SEN continuum (to include all types of settings i.e. mainstream, specialist resource provision, alternative provision and special)
- Set up Clusters (operational guidance to include purpose, governance, roles, and responsibilities with a focus on outcomes)
- Complete financial modelling for allocation of cluster budgets across the county
- Agree a tariff system that supports the Kent SEN continuum and financial sustainability
- Identify and align all support services
- Consult with schools on Clusters operational guidance
- Establish and agree moderation procedures
- Establish and agree information flow/sharing
- Create and implement a communications plan (including communications with parents/carers)



- Implement system-wide change for SEN in Kent, aligning with the Special School Review and the Specialist Resource Provision projects.

### 3. Financial Implications

3.1 Kent currently spends approximately £45m per annum on specific high needs allocations to mainstream schools to support individual children with SEN (this excludes funding for children attending Specialist Resources Provisions in mainstream schools which totals over £20m per annum). Approximately 40% of the high needs funding allocations are for SEN support services for individual children and the remainder is for children with an EHCP. In addition, the council commissioned a further £8m of SEN support services in 2023-24. This is funded from the High Needs Block of the Dedicated Schools Grant (DSG), a specific ring-fenced education grant from the Department of Education.

3.2 The next stages of the project will define the cluster budgets and the amount of funding to be retained to fund the Tarriff model for children with “exceptional” needs. This tariff funding model is expected to be aligned across the continuum of provision to ensure continuity and correlation of funding and resources available to children educated in either a mainstream or special school.

3.3 Kent’s Safety Valve agreement with the DfE<sup>8</sup> states:

“The authority agrees to implement the DSG management plan that it has set out. This includes action to:

**3.1.** Implement a countywide approach to ‘Inclusion Education’, to further build capacity in mainstream schools to support children and young people with Special Educational Needs and Disabilities (SEND), thus increasing the proportion of children successfully supported in mainstream education and reducing dependence on specialist provision

**3.7.** Ensure there is sufficient and consistent capacity across the county to support children with severe and complex needs in their local area where possible

**3.8.** Develop a school/area-led approach to commissioning of SEN support services (Locality Based Resources), to better respond to the needs of children and young people with SEND”

*(page 2 and 3 DfE Dedicated Schools Grant ‘Safety Valve’ Agreement: Kent)*

3.4 Kent must implement a sustainable approach to HNF to meet the DfE Safety Valve agreement and to ensure financial sustainability in this area moving forwards; the Locality Model will build the robust governance and monitoring processes required to implement the necessary new approach.

### 4. Legal implications

4.1 Legal advice on the consultation was sought from Legal Services and the comments and suggestions from Bevan Brittan were incorporated into the final consultation documents.

4.2 Local Authorities must follow government guidance on the **Children and Families Act (2014)**<sup>9</sup>, the distribution of their **High Needs Funding Block**<sup>10</sup>

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<sup>8</sup> Link at 10.7

<sup>9</sup> Link at 10.8

<sup>10</sup> Link at 10.9

and work under the **SEND Code of Practice 2015**<sup>11</sup>, these guidance documents were used in the development of the Locality Model proposed.

## **5. Equalities implications**

- 5.1 An Equalities Impact Assessment (EqIA) that has been updated in February 2024 can be found in Appendix Three

## **6. Risk and Other Factors**

- 6.1 It was a risk that the various initiatives progressing within SEN could have a detrimental impact leading to unnecessary confusion in the system. However, urgency for improvement dictated the need for all initiatives to progress. Work was ongoing to ensure these interdependencies were individually recognised and supported, but now by aligning and presenting the Locality Model, the Special School Review and Specialist Resource Provision projects we can more clearly illustrate the system-wide view of our SEN proposals. By co-ordinating the work that is underway to develop local clusters, thresholds (that will inform expectations of the different types of educational settings in Kent in a continuum of service delivery for the education system, and the types of settings, with a focus on improved outcomes for children and young people with SEN), and special school recommendations, we can cohesively improve education inclusion in Kent.
- 6.2 The Locality Model structure is designed to add greater transparency to the High Needs Block and allow more creative use of current resources, its implementation supports KCC's Safety Valve Agreement with the DfE.
- 6.3 The focus on outcomes for children and young people and the expectation that all schools engage with this model will support our improvement through the APP reporting. In order for the structure to be embedded it is proposed that there is a transition period between April 2024 and September 2025.
- 6.4 Risks will be continually monitored and mitigated throughout the implementation phase and the development of a robust operating model, detailed guidance, templates for decision making and monitoring will all contribute to minimising risk.

## **7. Governance**

- 7.1 Christine McInnes - Director of Education and Special Educational Needs will inherit the main delegations via the Officer Scheme of Delegation.

## **8. Conclusions**

- 8.1 To address the number of existing needs identified in Kent at this time, we believe the adoption of a Locality Model for mainstream inclusion, alongside implementing a Kent SEN continuum, and the progression of the Special School Review and SRP initiatives, will improve outcomes for children and young people with SEN.
- 8.2 With actions taken forward from the KCC response to the Locality Model public consultation, we believe the necessary steps will be taken to alleviate public and professional concerns on the model as it was initially presented.

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<sup>11</sup> Link at 10.10

8.3 The next report in this series of four is the Proposals for the Review of Special Schools.

## **9. Recommendation(s):**

9.1 **Cabinet Committee** - The CYPE Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Education and Skills on the proposed decision to adopt a Locality Model for Special Educational Needs Inclusion in Kent.

## **10. Background Documents**

- 10.1 CATIE Strategy 2023-28 - <https://www.kelsi.org.uk/special-education-needs/inclusion/countywide-approach-to-inclusive-education>
- 10.2 Public consultation on Locality Model information - [www.kent.gov.uk/localitymodel](http://www.kent.gov.uk/localitymodel)
- 10.3 High needs budgets: effective management in local authorities. Research report - [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1084458/DFE\\_HN\\_Budget\\_case\\_study\\_report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1084458/DFE_HN_Budget_case_study_report.pdf)
- 10.4 Framing Kent' Future - <https://www.kent.gov.uk/about-the-council/strategies-and-policies/framing-kents-future>
- 10.5 Securing Kent's Future - <https://democracy.kent.gov.uk/documents/s121235/Securing%20Kents%20Future%20-%20Budget%20Recovery%20Strategy.pdf>
- 10.6 Public Consultation Analysis Report - [www.kent.gov.uk/localitymodel](http://www.kent.gov.uk/localitymodel)
- 10.7 DfE and Kent Safety Valve Agreement - [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1143013/Kent\\_Safety\\_Valve\\_Agreement\\_2022\\_2023.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1143013/Kent_Safety_Valve_Agreement_2022_2023.pdf)
- 10.8 Children and Families Act (2014) - <https://www.legislation.gov.uk/ukpga/2014/6>
- 10.9 HNF 2023 to 2024 Operational Guidance - <https://www.gov.uk/government/publications/high-needs-funding-arrangements-2023-to-2024/high-needs-funding-2023-to-2024-operational-guide>
- 10.10 SEND Code of Practice - <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

## **11. Contact details**

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## **12. Appendices**

**Appendix One** - The Locality Model Consultation Analysis Report can be found here  
<https://letstalk.kent.gov.uk/locality-model-for-special-educational-needs-inclusion>

**Appendix Two - KCC’s response to Locality Model Consultation**

Responses to consultation on proposals to establish a new Locality Model for the provision of Special Educational Needs in Kent.

The consultation period ran from 29<sup>th</sup> November 2023 to 24<sup>th</sup> January 2024. 832 responses were received. The most frequently mentioned issues are detailed in the table below with commentary of how KCC intends to take the comments on board and respond to any concerns. There are four main approaches to be taken to the majority of issues raised:

1. Where concerns or comments have been based on misconceptions or misunderstanding, these can be directly addressed and responded to, or where there are already plans in place to address these concerns.
2. Where we have taken on board feedback and need to accelerate planned work to provide further information to consultees.
3. Where we have taken on board the comments relating to utilisation of existing local structures (e.g. LIFT) and concerns around the shape and capacity of Teams that would work around proposed clusters – here we intend to run Area based workshops to explore how existing structures and teams could deliver a locality-based model. We also intend to use the introduction of the “This is Me” project that has been running successfully across five primary schools in Tunbridge Wells, into Maidstone, working with schools and the NHS, utilising a cluster-based approach. The learning from both these approaches will inform the detailed operating model.
4. We will consult with schools on the detailed operating model and supporting guidance.

Category of comment/concern	No. of mentions	Response	Action Area 1 to 4
Mainstream education, based on inclusion, is not suitable for all students with SEN (with further concerns raised about any increase in its use).	261	This is recognised. The development of the thresholds will provide guidance on the levels of support and type of provision a child is most likely to require. Without transparent thresholds, there is likely to be inequity in provision and decision- making. The majority of local authorities have clear published thresholds. We have accelerated the work on the definitions and thresholds in order to provide more detail to schools, education professionals and parents and expect to have these ready in order to consult further over the summer period.	<b>2</b>
Not enough information has been given for me to be able to form a view on the proposals. (More thinking is required.)	115	Agree. This consultation was intended to be about the principle of a Locality Model only. The next stage is to work in partnership to design and test the detail. This will be through: <ul style="list-style-type: none"> <li>• The delivery of the “This is Me” project, working with schools and</li> </ul>	<b>3</b>

		<p>health partners across Maidstone, using the suggested cluster groupings and working with the existing LIFT Executive and LIFT structures to also explore utilising structures already in place at a local level (also raised in the consultation responses). The focus will be on addressing parental anxiety around their child's SEN and will be supported on the ground by Primary Care Navigators. The intention is to commence this project by early summer 2024. This project will enable the testing of what could be the terms of reference for clusters, the infrastructure required to enable cluster working (including Team Around the cluster), and the role of Special Schools and relationship of clusters to Area level Hubs.</p> <ul style="list-style-type: none"> <li>Over summer 2024, we also intend to run Area based workshops with schools and key partners to "test" using the existing structures of LIFT Executive and LIFT to deliver the Locality Model beyond the Maidstone project approach.</li> </ul>	
Various 'Cluster management-related' concerns – time to run; impact on workloads; additional bureaucracy; complexity of meetings; impact on key staff (head teachers and Special Educational Needs Co-ordinator [SENCOs]) etc.	112	See response in relation to issue above.	<b>3</b>
Concerns about the definitions of 'predictable' and 'exceptional', including their impact on young people.	100	We acknowledge that these actual terms are not helpful and need re-thinking, but it is crucial that we develop transparent and accessible thresholds across the range of SEND needs to inform decisions around the most appropriate support and also, so that education providers, those who work with them and families are all clear on expectations and the support a child should be receiving related to their needs and ensuring that those children with the most complex needs are able to secure a place in a Kent special school.	<b>2</b>
There should be more local specialist school places – either in special schools	98	The current Kent Sufficiency Plan identified the need for more special	<b>1</b>

or in special resource centres.		<p>schools and bids were made to the DfE as part of the Safety Valve process. We were awarded two special schools, one for Dartford/Swanley (240 places) and one for the coastal Herne Bay/Whitstable (120 places) areas. A new 120 place Special School and a 60 place special school satellite will also be opening on the Isle of Sheppey.</p> <p>The Plan also identified a lack of pathways from primary SRPs to secondary mainstream with SRP provision in 7 of Kent's 12 districts. District workshops will be taking place during late spring and early summer to identify options for delivery. We also have underutilisation of some SRPs and are therefore looking at where designations may need to be changed or expanded to meet areas of need that are more in demand, so that we make best use of the provision that we already have.</p>	
This is really about reducing the cost of SEN provision/saving money from the HNF budget.	87	This is about making <b>best use</b> of the High Needs funding we receive and targeting it so that it has the most impact on improving outcomes for children and young people with SEND. It is intended to enable localities to respond more appropriately and flexibly to SEND needs within and across their group of schools.	<b>1</b>
Considerable training will be needed for all school staff (and others) if this is to work.	82	Agreed. Considerable training is already being delivered for staff in schools, but a detailed implementation plan to include training specific to operating a cluster model and the implications of that will be developed.	<b>3&amp;4</b>
The funding models (KCC to Clusters, and Clusters to schools) need to be transparent, consistent, and to be fully developed and explained.	80	Agree. Work on the funding model across the continuum of need is underway and the allocations and systems and processes for the utilisation of funding at a cluster level will be developed and training and support provided. The intention is that all should be transparent, from SEN thresholds and expectations of levels of support, to decisions taken and utilisation of funding and the impact it is having.	<b>3&amp;4</b>
<b>Other concerns</b>			
Do not move children currently in specialist provision into mainstream		It is not the intention of the Locality Model to move children who are currently in special schools into	<b>1</b>

		mainstream.	
The lack of sufficient professional support services to deliver a reasonable Team Around The Cluster (TATC) service – respondents pointed out that many therapies etc. were already in short supply in particular localities and/or countywide, and could not see how the proposed Model would improve matters		<p>This is to be tested in the Area workshops and through the <i>This is Me</i> project in Maidstone. It may be that current resources have to be targeted in a different way than currently, but we will only identify this through more detailed work with schools, other professionals working with schools and families and health services, NHS colleagues and services.</p> <p>Utilising funding at a cluster level in a different way over time could enable clusters to purchase in additional resource targeted to the profile of needs of the children in that cluster who require specific support.</p>	<b>3</b>
How existing services operating in the TATC space (the Local Inclusion Forum Team [LIFT] and Specialist Teaching and Learning Services [STLS] in particular) would fit into the new structure and processes.		<p>This will be tested over the summer through the Area workshops which will be focusing on the possibility of utilising existing structures such as LIFT to deliver cluster working and also to inform the development of models for Team around the cluster.</p> <p>It will also be explored in practice through the delivery of the <i>This is Me</i> project in partnership with the NHS to be run in Maidstone based on the suggested cluster groupings of schools.</p>	<b>3</b>
Whether the other (mainly health-related) services could, and if they could (in theory) would (in practice), engage in the ways that the Model required of them.		<p>This is to be tested over the summer and autumn. A Section F review of therapies is being undertaken currently that will report in 2025. Meanwhile a qualified provider list is being produced to help inform schools and potential clusters that may be prepared to purchase in specific support utilising High Needs funding.</p>	<b>3</b>
More fundamentally whether an education-related SEN system should be based on a health-related PCN structure, and the associated practical difficulties (from an education perspective) – in particular the impact on multi academy trusts [MATs] and disruption to any existing networks – that would arise if it were		<p>A number of “border” concerns were raised during the consultation.</p> <p>The clusters should not preclude any school or group of schools from continuing with relationships with other schools that have been established over many years for good reasons. It may be that in some instances clusters may wish to work together on a specific issue. This would be for them to decide.</p> <p>MATS will be fully involved in the testing of the model to ensure that schools in a MAT that are in different clusters will not face challenges in engaging fully and accessing support when required. The second phase of consultation on the operating model will include specific</p>	<b>3&amp;4</b>



		discussions with MAT CEOs and their SEND leads.	
The proposed size of the Clusters – for many respondents they would be too large at 8 to 14 schools making them, for various reasons, too difficult to operate and manage.		This will be kept under review, but smaller clusters will be more challenging to support and resource.	<b>3&amp;4</b>
Concerns around how unpredicted “in-year” events might be funded when allocations have already been made to clusters		The Area workshops will also look at the relationship between LA level and Area level resource and support and cluster level resources. It is acknowledged that there may be particular needs or situations that would require consideration for support at an Area level and large-scale unpredictable events that may require an alternative response at an LA level.	<b>2</b>
There is no dispute resolution		We will encompass this in the operating guidance that will be consulted on with schools and MATs.	<b>3&amp;4</b>
Concerns around bureaucracy and pressure on schools /SENDCOs in running of the cluster-based model.		It is acknowledged that support will be required to run the clusters. This will be tested out over the summer.	<b>3&amp;4</b>

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# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

## DECISION TO BE TAKEN BY:

**Cabinet Member for Education and Skills**

## DECISION NO:

24/00026

**For publication** [Do not include information which is exempt from publication under schedule 12a of the Local Government Act 1972]

### Key decision: YES

*Key decision criteria. The decision will:*

- a) result in savings or expenditure which is significant having regard to the budget for the service or function (currently defined by the Council as in excess of £1,000,000); or
- b) be significant in terms of its effects on a significant proportion of the community living or working within two or more electoral divisions – which will include those decisions that involve:
  - the adoption or significant amendment of major strategies or frameworks;
  - significant service developments, significant service reductions, or significant changes in the way that services are delivered, whether County-wide or in a particular locality.

### Subject Matter / Title of Decision

**The Locality Model for Special Educational Needs Inclusion**

### Decision:

As Cabinet Member for Education and Skills, I agree to the to adoption the Locality Model for Special Educational Needs Inclusion in Kent.

### Reason(s) for decision:

#### Background

- In May 2023, at KCC’s Children Young People and Education (CYPE) Cabinet Committee, the CATIE was set out as KCC’s strategy for 2023-28. The CATIE established KCC’s collective ambitions for children, young people, and their families in Kent. Professionals working together in a collaborative, sustainable system to ensure equity of education, meaning children feel they belong, are respected, and valued as individuals, and are fully supported to achieve their best.
- The CATIE, signposted within the DfE’s Safety Valve Agreement with Kent, states it will “develop a school/area-led approach to [...] SEN support services (Locality Based Resources), to better respond to the needs of children and young people with Special Educational Needs and Disability (SEND)”.
- CATIE’s Priority Two aims to develop community working and implement structures that support children and young people with SEND in Kent to have their needs met within their own locality, wherever possible.
- As part of KCC’s work towards delivering on CATIE priorities a Locality Model has been developed, with the aim of improving the outcomes for children and young people with SEND in Kent. This proposal went out to public consultation between November 2023 and January 2024.

#### Financial Implications

- Kent currently spends approximately £45m on specific high needs allocations to schools per annum. Approximately 40% of this are for SEN support services for individual children and the remainder to children with an EHCP. This is funded from the High Needs Block of the Dedicated Schools Grant (DSG), a specific ring-fenced education grant from the Department of Education. The council is one of a number of local authorities which are part of the DfE Safety Valve Programme to support those councils with the highest overspends on SEN services to achieve a financially sustainable longer term position. The Kent's Safety Valve agreement with the DfE states:

"The authority agrees to implement the DSG management plan that it has set out. This includes action to:

3.1. Implement a countywide approach to 'Inclusion Education', to further build capacity in mainstream schools to support children and young people with Special Educational Needs and Disabilities (SEND), thus increasing the proportion of children successfully supported in mainstream education and reducing dependence on specialist provision.

3.7. Ensure there is sufficient and consistent capacity across the county to support children with severe and complex needs in their local area where possible.

3.8. Develop a school/area-led approach to commissioning of SEN support services (Locality Based Resources), to better respond to the needs of children and young people with SEND"  
(page 2 and 3 DfE DSG 'Safety Valve' Agreement: Kent)

- Kent must implement a sustainable approach to HNF to meet the DfE Safety Valve agreement and to ensure financial sustainability in this area moving forwards; the Locality Model will build the robust governance and monitoring processes required to implement the necessary new approach.

#### Legal implications

- Under the Children and Families Act 2014 KCC has a duty to 'to support the child and his or her parent, or the young person, in order to facilitate the development of the child or young person and to help him or her achieve the best possible educational and other outcomes' and by doing this we are delivering on our obligation in accordance with this legislation.

- Local authorities must follow government guidance on distribution of their HNF Block and work under the SEND Code of Practice 2015, these guidance documents were used in the development of the Locality Model proposed. Links are provided below in the 'Supporting Documents' section.

#### Equalities implications

- An equality impact assessment (EqIA) was provided within the public consultation and has been updated following 160 items of feedback. The updated EqIA is linked in the 'Supporting Documents' section. The Locality Model EqIA will regularly be reviewed if the model is adopted and will be kept under review as implementation progresses.

#### Other Alternatives Considered and risks if decision isn't taken.

The Locality Model structure is designed to add greater transparency to the High Needs Block and allow more creative use of current resources, its implementation supports KCC's Safety Valve Agreement with the DfE and other local initiatives which is a risk if not undertaken.

#### **Cabinet Committee recommendations and other consultation:**

**The Children's and Young People Cabinet Committee consider the decision on 16 May 2024**

**Any alternatives considered and rejected:**

Three main options were considered:

- to maintain the current system
- to implement a Tariff system
- to implement a Locality Model

Option one was discounted as an impracticable solution; it is not currently performing well in Kent, there is current inconsistency in mainstream SEN inclusion and provision, along with a lack of effective monitoring systems and accountability. Ofsted have stated, poor standards are achieved, and progress made, by too many pupils with SEN under the current system.

Option two could have been viable but was discounted due to its identified limitations. A tariff system for mainstream would provide clear and transparent arrangements with a prescriptive allocation of resources but tends to be used in conjunction with individual funding allocations for children with EHCPs, rather than for wider operations and funding of SEN Support Services. The elements of inflexibility it would bring were also considered too restrictive for SEN support services, and unsupportive of innovative use of resources for mainstream if used on its own.

Option three was viewed as the best path for KCC to explore and define and develop further with partners. The Locality Model is designed to improve the quality of the mainstream education offer in Kent, through early and accurate identification of need, high quality teaching of a knowledge-rich curriculum, and timely access to specialist health and care support, as well as alternative provision placements where they are needed.

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

.....  
signed

.....  
date

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**EQIA Submission Draft Working Template**

If required, this template is for use prior to completing your EQIA Submission in the EQIA App. You can use it to understand what information is needed beforehand to complete an EQIA submission online, and also as a way to collaborate with others who may be involved with the EQIA. Note: You can upload this into the App when complete if it contains more detailed information than the App asks for and you wish to retain this detail.

**Section A**

**1. Name of Activity (EQIA Title):**

The Locality Model for Special Educational Needs (SEN) Inclusion in Kent

**2. Directorate**

Children Young People and Education (CYPE)

**3. Responsible Service/Division**

Education and SEN

**Accountability and Responsibility**

**4. Officer completing EQIA**

Note: This should be the name of the officer who will be submitting the EQIA onto the App.

Rachel Baker – Transformation Project Manager, CYPE

**5. Head of Service**

Note: This should be the Head of Service who will be approving your submitted EQIA.

Siobhan Price – Education Officer, Mainstream Inclusion, CYPE

**6. Director of Service**

Note: This should be the name of your responsible director.

Christine McInnes – Director of Education and SEN, CYPE

**The type of Activity you are undertaking**

**7. What type of activity are you undertaking?**

Service Change – *operational changes in the way we deliver the service to people.* Answer Yes/No

Yes

Service Redesign – *restructure, new operating model or changes to ways of working.* Answer Yes/No

Yes

Project/Programme – *includes limited delivery of change activity, including partnership projects, external funding projects and capital projects.* Answer Yes/No

Yes

Commissioning/Procurement – *means commissioning activity which requires commercial judgement.* Answer Yes/No

No

Strategy /Policy – *includes review, refresh or creating a new document.* Answer Yes/No

Yes

Other – Please add details of any other activity type here.

None

**8. Aims and Objectives and Equality Recommendations – Note: You will be asked to give a brief description of the aims and objectives of your activity in this section of the App, along with the Equality recommendations. You may use this section to also add any context you feel may be required.**

Kent County Council (KCC) are looking to adopt and implement the delivery structures developed in collaboration with representative partners, so that they will support increased inclusion in mainstream schools for children and young people with Special Educational Needs (SEN).

KCC’s Countywide Approach to Inclusive Education (CATIE) Strategy 2023-28 established our collective ambitions for children, young people, and their families in Kent. Working together in a collaborative, sustainable system to ensure equity of education means all children feel they belong, are respected, and valued as individuals, and are fully supported to achieve their best.

The CATIE is mentioned within the DfE’s Safety Valve Agreement with Kent in that it will “develop a school/area-led approach to [...] SEN support services (Locality Based Resources), to better respond to the needs of children and young people with Special Educational Needs and Disability (SEND)”.

The Locality Model is an intrinsic step towards KCC’s commitment to delivering the priorities of CATIE and delivering on their responsibilities to implement the Designated Schools Grant management plan, as outlined in the DfE Safety Valve Agreement. The Locality Model covers the age ranges of 5 to 16 years in mainstream primary and secondary schools, and for children attending sixth form in state funded schools. KCC are proposing to continue with current processes for early years and other post-16 institutions at this stage.

KCC consulted with Kent Schools, residents, stakeholders, and service users on the plans for reform. As part of this consultation, KCC invited views on its assessment of the potential equality impacts of the proposal. KCC has considered

the views expressed by consultees and revised this impact assessment prior to making any final recommendation.

The purpose of this Equality Impact Assessment is to help KCC assess the potential impact on persons with different protected characteristics. In undertaking this assessment, KCC has had regard to the need to: (i) eliminate discrimination; (ii) advance the equality of opportunity; and (iii) foster good relations between persons who share a relevant protected characteristic and those who do not, in the exercise of our public functions.

### Section B – Evidence

*Note: For questions 9, 10 & 11 at least one of these must be a 'Yes'. You can continue working on the EQIA in the App, but you will not be able to submit it for approval without this information.*

9. Do you have data related to the protected groups of the people impacted by this activity? *Answer: Yes/No*

Yes

10. Is it possible to get the data in a timely and cost effective way? *Answer: Yes/No*

Yes

11. Is there national evidence/data that you can use? *Answer: Yes/No*

Yes

12. Have you consulted with Stakeholders?

*Answer: Yes/No*

*Stakeholders are those who have a stake or interest in your project which could be residents, service users, staff, members, statutory and other organisations, VCSE partners etc.*

Yes

13. Who have you involved, consulted and engaged with?

*Please give details in the box provided. This may be details of those you have already involved, consulted and engaged with or who you intend to do so with in the future. If the answer to question 12 is 'No', please explain why.*

KCC has engaged with stakeholders to support in creating the proposals, including service providers, education settings, council members, external advisors, and Kent PACT (Parent and Carers Together) forum. Full details can be found in appendix one of the consultation document, located by visiting [www.kent.gov.uk/localitymodel](http://www.kent.gov.uk/localitymodel)

Engagement activities were also undertaken in the creation of the CATIE in late 2020 and early 2021. Schools, parents/carers, and other stakeholders were involved in the discussions and decisions over content within CATIE via different working groups. A HNF Subgroup (which reports directly into the Schools Funding Forum) was convened and now meets monthly, consisting of LA and school personnel across various departments, school phases, and types of setting.

KCC carried out pre-consultation engagement, across all 12 Districts with education settings and relevant professionals, with representative service user forums, and strategic and operational groups, in October and November 2023. Between the 29 November 2023 and 24 January 2024 KCC conducted a wide-ranging public consultation on the proposals their families. During this time more engagement was undertaken with professional partners and with families and service users through school engagement and virtual events.

14. Has there been a previous equality analysis (EQIA) in the last 3 years? *Answer: Yes/No*

Yes, for the CATIE Strategy, this work sits within the remit of CATIE. There was an EQIA for the consultation on the proposed Locality Model. This updated EQIA focuses on the feedback received from this consultation.

15. Do you have evidence/data that can help you understand the potential impact of your activity?

*Answer: Yes/No*

Yes

Uploading Evidence/Data/related information into the App

*Note: At this point, you will be asked to upload the evidence/ data and related information that you feel should sit alongside the EQIA that can help understand the potential impact of your activity. Please ensure that you have this information to upload as the Equality analysis cannot be sent for approval without this.*

Dashboard link / KPI table from CATIE

### Section C – Impact

16. Who may be impacted by the activity? *Select all that apply.*

Service users/clients - *Answer: Yes/No*

Yes

Residents/Communities/Citizens - *Answer: Yes/No*

Yes

Staff/Volunteers - *Answer: Yes/No*

Yes

17. Are there any positive impacts for all or any of the protected groups as a result of the activity that you are doing?

*Answer: Yes/No*

Yes

18. Please give details of Positive Impacts

- a) Children and young people experience a high quality, inclusive education within the most appropriate setting to meet their needs.
- b) Children and young people with SEN have their needs identified early and receive appropriate levels of support that enables them to engage and make appropriate progress in their learning.
- c) Children and young people with SEN achieve their potential academically, gaining skills, knowledge, and confidence to move to the next stage of learning and independence with success.
- d) Children and young people with SEN receive timely and holistic support from education and wider services that responds to their health, wellbeing or social care needs and supports their inclusion in education.
- e) Children and young people experience positive transitions between key stages of education and settings as well as



- wider life events and are prepared to live as independently as possible
- f) Parents and carers are confident that their child's school or setting has the knowledge, skills, and confidence to meet their needs.
  - g) Parents/carers have confidence that their child or young person's broader health, wellbeing and social care needs are being supported.
  - h) Schools meet the needs of children and young people with SEN and strengthen inclusive practice through access to a graduated core offer of training, development, and peer review activities.
  - i) Staff in mainstream schools have improved knowledge, skills, and confidence in responding to the needs of children and young people with SEN through:
    - a. access to high-quality information, advice and support from multi-agency professionals and specialist teachers.
    - b. streamlined and effective locality structures through which to share advice, best practice and information as well as accessing wider support for individual children and young people with SEN.
    - c. flexible locality resources, in the form of financial and practical support.
  - j) Support delivered within and through schools is connected to a wider, integrated offer from partner services, which support the child or young person's broader social, emotional, and physical wellbeing. Schools can draw upon, and work in partnership with, a wider range of professionals to ensure a holistic response to meeting the needs of children and young people.
  - k) Schools are able facilitate smooth and successful transitions through effective local collaboration, built upon:
    - a. a shared understanding of best practice in relation to transition.
    - b. tools and approaches to support planning for individual children and young people including preparing for adulthood.
    - c. access to resources and opportunities for transition activities.
- Through strengthening outcomes at an individual and school-level, we will see longer-term progress towards the following countywide outcomes:
- l) A greater proportion of children and young people with SEN access a high-quality, inclusive education within a mainstream setting (where this is appropriate to their needs).

**Negative Impacts and Mitigating Actions**  
 The questions in this section help to think through positive and negative impacts for people affected by your activity. Please use the Evidence you have referred to in Section B and explain the data as part of your answer.

**19. Negative Impacts and Mitigating actions for Age**

**a) Are there negative impacts for Age? Answer: Yes/No**  
 (If yes, please also complete sections b, c, and d).

Yes

**b) Details of Negative Impacts for Age**

School aged children (5–16-year-olds) will be disproportionately impacted by the proposals. Funding and support may change for them under the new system. The service that children, young people and their families receive may be delivered in a different way, for example, by a different provider, in a group rather than individual setting, or at a different location. Children aged 5 to 16 may have their current individual funding changed and delivered in a new way under the new process; the focus will be on collective action and support, delivered in a way that makes best use of local resources. These proposals do not make changes to the Special Educational Needs Inclusion Fund (SENIF) for Early Years (0 to 4 years), or to Post-16 funding (16 years and upwards). Consultation responses showed some concern the model does not cover 0–4-year-olds and over 16's not attending sixth form in state funded schools, with 8 items of age-related feedback. Including the following comments: 'excluding under 5s is a huge negative impact for this group of children', 'this does not meet either the SEND code of practice or the Equality act' and 'Not covering pre-school children, post 16...in the model is not equitable and meeting the act'.

**c) Mitigating Actions for Age**

If the proposed Locality Model proceeds, 5-16-year-olds will be supported by a new model of working that uses local resources and collaborations in local clusters to best support all children within their locality. There will be a carefully planned transition period, between the current and any new model. It will be within this transition period that KCC and schools will plan for and communicate any changes to be made to a child's provision. The proposed model will enable greater inclusion of all students in mainstream settings, meaning that they can attend schools locally (reduced travel time) and build links, friendships and integrate into their local community. No child that needs additional support will go without it, the funding will still be there, but it will be allocated differently, giving more influence to the schools who know and work with the child and their family. SENIF will continue to be delivered in the same way, if it needs to be reviewed it will be carried out independent of this proposal. Post-16 will be delivered in the same way as it is currently. The rationale for focusing on a Locality Model for 5-16-year-olds, rather than all age groups, was to change the system first where it will have the most direct positive impact for children, young people, and their families, as well as KCC and its partners. By taking a measured approach KCC are wanting to assess the impact of any changes before looking to adopt the system for all age ranges. The current processes for allocating resource to 0–4-year-olds, and over 16's not attending sixth form in state funded schools', function adequately, and could therefore wait and benefit from any learning found by implementing the changes for 5-16-year-olds. Data collected by the HNF Team shows a snapshot of 3,637 children and young people paid HNF by KCC during October 2023, (1,592 of these had an Education, Health, and Care Plan - EHCP). 3,261 were primary school age and 376 were secondary school age.

**d) Responsible Officer for Mitigating Actions - Age**

Siobhan Price – Education Officer, Mainstream Inclusion, CYPE

**20. Negative Impacts and Mitigating actions for Disability**

**a) Are there negative impacts for Disability? Answer: Yes/No**  
 (If yes, please also complete sections b, c, and d).

Yes

**b) Details of Negative Impacts for Disability**

SEN is not a disability, however, those with the highest levels of SEN may have an accompanying issue that is categorised as a disability and that is what makes them have exceptional need, so those with a disability may be disproportionately impacted. Funding and support may change under the new system. The service that children, young

people and their families receive may be delivered in a different way, for example, by a different provider, in a group rather than individual setting, or at a different location. This may impact accessibility of resource for children and young people with a disability.

4 consultation responses were received relating to disability:

- 'This will make life harder and less consistent for children with disabilities'
- 'Where do disabled children feature in the locality model? Surely should still be referred to as SEND'
- 'This needs to be addressed before changes are made to ensure this vulnerable group is not further disadvantaged' and
- 'Difficulties will arise in ensuring parents of children with a disability currently receiving HNF understand that the new model will mean they will not be entitled to one-to-one support'

**c) Mitigating Actions for Disability**

If the proposed Locality Model proceeds, children and young people with a disability will be supported by the new model of working that uses local resources and collaborations in local clusters to best support all children within their locality. There will be a carefully planned transition period, between the current and any new model. It will be within this transition period that KCC and schools will plan for and communicate any changes to be made to a child's provision.

The proposed model will enable greater inclusion of all students in mainstream settings, meaning that they can attend schools locally (reduced travel time) and build links, friendships and integrate into their local community.

No child that needs additional support will go without it, the funding will still be there, but it will be allocated differently, giving more influence to the schools who know and work with the child and their family.

KCC understand the concern any proposed change naturally invokes, and if the Locality Model is adopted, all potentially disadvantaged groups will be regularly assessed and monitored. It is not clear how the model could make life harder or less consistent at this stage for children and young people with disabilities and this would be closely considered in any implementation planning and activity. Disabled children and young people would access the Locality Model resources in the same way all 5-16-year-olds would, the terms SEN and SEND have been distinguished separately in the consultation documentation due to the structures of KCC Directorates and where the service responsibilities are held, it does not add barriers to accessing resource. The Locality Model does not remove entitlement to one-to-one support, all children, and young people in receipt of support currently, who would move to being supported under the Locality Model, would have any changes planned for and in direct communication with their parents/carers.

Data collected by the HNF Team shows a snapshot of 3,637 children and young people paid HNF by KCC during October 2023.

These are broken down into the following category of need:

- Communication & Interaction 1,767
- Hearing Impaired 36
- Moderate Learning Difficulties 131
- Other (medical) 52
- Physical Disability 163
- Profound & Multiple Learning Difficulties 12
- Severe Learning Difficulties 51
- Social Emotional Mental Health 851
- Specific Learning Difficulties 89
- Speech & Language Disorder/Impairment 453
- Unknown 2
- Visual Impairment 30

**d) Responsible Officer for Mitigating Actions - Disability**

Siobhan Price – Education Officer, Mainstream Inclusion, CYPE

**21. Negative Impacts and Mitigating actions for Sex**

**a) Are there negative impacts for Sex? Answer: Yes/No**  
(If yes, please also complete sections b, c, and d).

No

**b) Details of Negative Impacts for Sex**

3 consultation responses were received for this category, with 2 expressing concern data is not available, and therefore there is potential for one group to be disproportionately affected if they feature more in a SEND category.

'It's important to have up to date information regarding the research available concerning female neurodiverse students. The information ...is out of date and overlooks a lot of female symptoms and expressions of the condition. Due to this, masking in school is often overlooked so that the girls are missing out on interventions. This is because of the 'needs' basis which does not take into account the quieter disposition of female SEN students who are in fact struggling internally'.

**c) Mitigating Actions for Sex**

Improvements to the data collected, which can in turn be analysed, is part of the Locality Model proposals. By increasing this 'data' knowledge, improved planning and mitigation for risks impacting different groups of children and young people can be put in place. Mainstream Core Standards, Quality First Teaching and stronger inclusion practice should gain wider traction through the Locality Model, and the opportunity for peer review and challenge this model brings. This increased transparency and communication between schools on their local responses to these diverse groups should bring about positive change.

Data collected by the HNF Team shows a snapshot of 3,637 children and young people paid HNF by KCC during October 2023.

Gender information is not collected in the data supplied by the HNF Team.

**d) Responsible Officer for Mitigating Actions - Sex**

Siobhan Price – Education Officer, Mainstream Inclusion, CYPE

**22. Negative Impacts and Mitigating actions for Gender identity/transgender**

**a) Are there negative impacts for Gender identity/transgender? Answer: Yes/No**  
(If yes, please also complete sections b, c, and d).

No

**b) Details of Negative Impacts for Gender identity/transgender**

Consultation responses relating to gender identity and transgender categories were received, with 14 items of feedback.

11 responses identified the need to 'consider and use up to date inclusive language around gender identity. Need more focus on the benefits and positive impact on equality and diversity and inclusion rather than on the financial situation'. Another highlighted ' Research shows that high levels of young people who identify as transgender or non-binary also have SEN/neurodiversity challenges. This group could therefore be particularly impacted by these changes.'
<b>c) Mitigating actions for Gender identity/transgender</b>
Improvements to the data collected, which can in turn be analysed, is part of the Locality Model proposals. By increasing this 'data 'knowledge, improved planning and mitigation for risks impacting different groups of children and young people can be put in place. Data collected by the HNF Team shows a snapshot of 3,637 children and young people paid HNF by KCC during October 2023. Gender information is not collected in the data supplied by the HNF Team.
<b>d) Responsible Officer for Mitigating Actions - Gender identity/transgender</b>
Siobhan Price – Education Officer, Mainstream Inclusion, CYPE
<b>23. Negative Impacts and Mitigating actions for Race</b>
<b>a) Are there negative impacts for Race? Answer: Yes/No (If yes, please also complete sections b, c,and d).</b>
No
<b>b) Details of Negative Impacts for Race</b>
9 comments were received directly relating to impacts for race, mainly regarding children and young people who are categorised with English as an Additional Language for them (EAL) although more responses (20) were received on other socio-economic factors and factors of deprivation which also mentioned EAL. Some comments received: <ul style="list-style-type: none"> <li>• 'Our mobility is very high with children moving from other Countries and Counties. What support is going to be put in place for these children?'</li> <li>• 'How are schools identifying SEN in children with EAL at early stages of language acquisition and in refugee children? Are they accessing appropriate support to differentiate between SEN and EAL, to access relevant training (e.g. around trauma or academic literacy)? Do parents and carers of children with these protected characteristics have equal access to the information about what support at school level should be expected and do they understand what HNF is and how and when schools apply for it?'</li> <li>• 'There needs to be a greater understanding that within the Kent area, children who are non-white are largely in the minority. My daughter is the only non-white child in her year group at school and one of a handful of non-white children within the school. These children are already different from their peers. Then when you add in that they are SEN as well, this makes them more different from their peers again and can be another factor which makes them more vulnerable.'</li> <li>• 'Gypsy, Traveller, Roma, Showmen and Boaters (GRTSB) children will also have additional barriers due to their high migration - how might they be supported if they continually move and so change clusters?'</li> </ul>
<b>c) Mitigating Actions for Race</b>
Improvements to the data collected, which can in turn be analysed, is part of the Locality Model proposals. By increasing this 'data 'knowledge, improved planning and mitigation for risks impacting different groups of children and young people can be put in place. Mainstream Core Standards, Quality First Teaching and stronger inclusion practice should gain wider traction through the Locality Model, and the opportunity for peer review and challenge this model brings. This increased transparency and communication between schools on their local responses to these diverse groups should bring about positive change. How GTRSB children and young people are supported by a Locality Model raises an important point that had not been highlighted in our development work and will now be a specific point in discussions of how to implement the model with due regard to these children and young people. Data collected by the HNF Team shows a snapshot of 3,637 children and young people paid HNF by KCC during October 2023. Race information is not collected in the data supplied by the HNF Team.
<b>d) Responsible Officer for Mitigating Actions – Race</b>
Siobhan Price – Education Officer, Mainstream Inclusion, CYPE
<b>24. Negative Impacts and Mitigating actions for Religion and belief</b>
<b>a) Are there negative impacts for Religion and Belief? Answer: Yes/No (If yes, please also complete sections b, c,and d).</b>
No
<b>b) Details of Negative Impacts for Religion and belief</b>
<b>c) Mitigating Actions for Religion and belief</b>
Improvements to the data collected, which can in turn be analysed, is part of the Locality Model proposals. By increasing this 'data 'knowledge, improved planning and mitigation for risks impacting different groups of children and young people can be put in place. Mainstream Core Standards, Quality First Teaching and stronger inclusion practice should gain wider traction through the Locality Model, and the opportunity for peer review and challenge this model brings. This increased transparency and communication between schools on their local responses to these diverse groups should bring about positive change. Data collected by the HNF Team shows a snapshot of 3,637 children and young people paid HNF by KCC during October 2023. Religion and Belief information is not collected in the data supplied by the HNF Team.
<b>d) Responsible Officer for Mitigating Actions - Religion and belief</b>
Siobhan Price – Education Officer, Mainstream Inclusion, CYPE
<b>25. Negative Impacts and Mitigating actions for Sexual Orientation</b>
<b>a) Are there negative impacts for sexual orientation. Answer: Yes/No (If yes, please also complete sections b, c,and d).</b>
No
<b>b) Details of Negative Impacts for Sexual Orientation</b>

One comment relating to the category of sexual orientation was received in the consultation, this was 'Consider additional needs of kids from LGBTQ+ communities'.
<b>c) Mitigating Actions for Sexual Orientation</b>
Improvements to the data collected, which can in turn be analysed, is part of the Locality Model proposals. By increasing this 'data' knowledge, improved planning and mitigation for risks impacting different groups of children and young people can be put in place. Mainstream Core Standards, Quality First Teaching and stronger inclusion practice should gain wider traction through the Locality Model, and the opportunity for peer review and challenge this model brings. This increased transparency and communication between schools on their local responses to these diverse groups should bring about positive change. Data collected by the HNF Team shows a snapshot of 3,637 children and young people paid HNF by KCC during October 2023. Sexual Orientation information is not collected in the data supplied by the HNF Team.
<b>d) Responsible Officer for Mitigating Actions - Sexual Orientation</b>
Siobhan Price – Education Officer, Mainstream Inclusion, CYPE
<b>26. Negative Impacts and Mitigating actions for Pregnancy and Maternity</b>
<b>a) Are there negative impacts for Pregnancy and Maternity? Answer: Yes/No</b> (If yes, please also complete sections b, c, and d).
No
<b>b) Details of Negative Impacts for Pregnancy and Maternity</b>
<b>c) Mitigating Actions for Pregnancy and Maternity</b>
Data collected by the HNF Team shows a snapshot of 3,637 children and young people paid HNF by KCC during October 2023. Pregnancy and maternity information are not collected in the data supplied by the HNF Team.
<b>d) Responsible Officer for Mitigating Actions - Pregnancy and Maternity</b>
Siobhan Price – Education Officer, Mainstream Inclusion, CYPE
<b>27. Negative Impacts and Mitigating actions for marriage and civil partnerships</b>
<b>a) Are there negative impacts for Marriage and Civil Partnerships? Answer: Yes/No</b> (If yes, please also complete sections b, c, and d).
No
<b>b) Details of Negative Impacts for Marriage and Civil Partnerships</b>
<b>c) Mitigating Actions for Marriage and Civil Partnerships</b>
Data collected by the HNF Team shows a snapshot of 3,637 children and young people paid HNF by KCC during October 2023. Marriage and civil partnerships information is not collected in the data supplied by the HNF Team.
<b>d) Responsible Officer for Mitigating Actions - Marriage and Civil Partnerships</b>
Siobhan Price – Education Officer, Mainstream Inclusion, CYPE
<b>28. Negative Impacts and Mitigating actions for Carer's responsibilities</b>
<b>a) Are there negative impacts for Carer's responsibilities? Answer: Yes/No</b> (If yes, please also complete sections b, c, and d).
No
<b>b) Details of Negative Impacts for Carer's Responsibilities</b>
2 responses in the consultation related to carers responsibilities, one asked schools' to provide support for young carers not wait for outside services to support them and the other stating 'Dover SmArt project is a charity supporting young carers and there are other young carer groups across Kent. Link with your own teams within KCC to find the contact details for them all and specifically ask the Carer groups to engage with the survey at the very least'.
<b>c) Mitigating Actions for Carer's responsibilities</b>
Improvements to the data collected, which can in turn be analysed, is part of the Locality Model proposals. By increasing this 'data' knowledge, improved planning and mitigation for risks impacting different groups of children and young people can be put in place. Mainstream Core Standards, Quality First Teaching and stronger inclusion practice should gain wider traction through the Locality Model, and the opportunity for peer review and challenge this model brings. This increased transparency and communication between schools on their local responses to these diverse groups should bring about positive change. Collecting the voice of children and young people is an identified priority for KCC and this project supports this wherever possible. Data collected by the HNF Team shows a snapshot of 3,637 children and young people paid HNF by KCC during October 2023. Carer responsibility information is not collected in the data supplied by the HNF Team.
<b>d) Responsible Officer for Mitigating Actions - Carer's Responsibilities</b>
Siobhan Price – Education Officer, Mainstream Inclusion, CYPE

**From:** Rory Love, Cabinet Member for Education and Skills  
Sarah Hammond, Corporate Director of Children, Young People and Education

**To:** Children's, Young People and Education Cabinet Committee – 16.05.2024

**Subject:** Proposals for the Review of Special Schools

Non-Key decision

**Past Pathway of report:** SEND Transformation Strategic Board (19.03.2024)

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**Summary:** The following report provides a synopsis of the special schools' review including the key findings and future proposals.

**Recommendation(s):**

The Children's, Young People and Education Cabinet Committee is asked to consider and endorse the proposed future pathway pertaining to the review and associated proposals for public consultation.

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## 1. Introduction

1.1 This report is the third of four reports within the series of 'Kent SEND transformation projects. The report provides an overview of the Special Schools' Review and includes key findings and future proposals.

1.2 Between January 2023 – February 2024 Local Authority officers reviewed Kent's state-funded special school provision. The purpose of the review was:

- To inform planning of special school places over the medium-long-term for children with Special Educational Needs and Disabilities (SEND) for whom the Local Authority maintains an Education, Health, and Care Plan (EHCP) and decides to place in a special school.
- To inform the designation and admission criteria for special schools so that there is clarity about the special educational needs and disabilities (SEND) of children and young people for whom the Local Authority has planned special school provision and equity of access for children and young people with severe and complex SEND.
- To inform the principles of funding to ensure a financially sustainable approach to funding state-funding special schools, with funding matched to the level of adaptation and resources needed to provide suitable education for the children placed by the Local Authority.
- Identify opportunities for strategic system change to improve SEND provision, enhance educational outcomes, and promote inclusivity for children and young people with complex and severe needs in their local communities.

- Propose options for the future that foster collaboration towards building a more equitable and effective educational landscape for all children in Kent.
- 1.3 This report relates to the state-funded special school provision in Kent. All information and data included related to the period of the review from January 2022 to March 2024. Any reference to special schools throughout the remainder of the report relates to state-funded special schools unless stated otherwise. It should also be noted that private special schools are referred to as independent schools by the DfE.
  - 1.4 State-funded special school places are commissioned by the Local Authority and funded from Kent's Dedicated Schools Grant, High Needs Block.
  - 1.5 The Local Authority is the admission authority for state-funded special schools.
  - 1.6 The context in which the Special School Review has been carried out is one of financial and reputational challenge. Kent has an over-reliance on special school provision, both state-funded and private, in comparison with statistical neighbours and England (DfE 2023).
  - 1.7 The Local Area (Local Authority, NHS, and schools/settings) have been inspected and found to have weaknesses. Key issues identified were lack of parental confidence in the provision for children and young people with SEND and poor outcomes for these children and young people.
  - 1.8 The Local Authority has a history of developing state-funded special schools over time and subsequently has expanded and extended state-funded special school provision both within those school sites and in mainstream schools through the provision of satellites. This has been in response to levels of demand and, at times, has been approached in an ad hoc way for children with specific need types in specific locations.
  - 1.9 There has not been a comprehensive review of special school provision, place planning or funding since the introduction of the Children and Families Act in 2014.
  - 1.10 The Local Authority has a duty to make placements for children for whom an EHCP is maintained, having due regard to parental preference, and ensuring the provision of suitable education that is an efficient use of resources (Children & Families Act, 2014: Section 3). Suitable education is provided through teaching and learning that is matched to children's needs and supports them in preparing for adulthood. The provision of education in a special school is an efficient use of resources and suitable for children and young people with severe and complex needs who need an adapted curriculum that is different from that which can be provided in a mainstream school with ordinarily available resources, described in Kent, as mainstream core standards.
  - 1.11 In the context set out above the review of special school provision has established understanding of the status quo and identified a number of issues that have contributed to the challenges that the SEND system in Kent, as a whole, faces. Priorities for development to address issues are proposed with the intention of seeking views about the approach to implementation, through public

consultation. The Proposals are aligned with Kent’s whole system change for children and young people with SEND, as set out in the overarching Cabinet report introduction.

1.12 The scope of the review of Kent’s state-funded special schools has been focused on the areas of accountability that relate to the Local Authority’s statutory responsibilities to provide sufficiency of educational places, suitable education for children and young people for whom an Education, Health and Care Plan (EHCP) is maintained and the duty to make placements that are an efficient use of resources. As such the findings and proposals for change focus on:

- Sufficiency of state-funded special school places
- Designation and admission criteria
- Principles for the special school funding model
- The role of special schools supporting the inclusion of children and young people with (SEND).

1.13 The purpose of this report is to inform the Children’s, Young People and Education Cabinet Committee of the proposals that have been identified following the conclusion of the review and to set out proposed next steps.

## 2. The review and findings

### Current special school provision:

2.1 There are 24 state-funded special schools in Kent, four special schools are split across two sites; one of which provides special school provision in two different areas figures below reflect the academic year 2022/23.

Area of Kent	Number of special schools	Number of places
North	5	1063
South	5	1199
East	8	1678
West	7	2029
<b>Total</b>	<b>24</b>	

2.2 In recent years, the Council has responded to opportunities for DfE capital investment in new free special schools to address population growth and basic need and has been successful in securing agreement for the following:

- East Kent, Isle of Sheppey: A new free special school for young people 11-16 years with social, emotional, mental health (SEMH) needs, providing 120 places (opening during the academic year 2024/25).
- East Kent, Whitstable: A new free special school for children and young people 4-19 years with Profound, Severe, Complex needs (PSCN), providing 120 places (opening September 2026).
- North Kent, Swanley: A new free school for children and young people aged 4-19 years with PSCN, providing 250 places (opening September 2026).

- 2.3 The designation of a special school is based on the primary special educational need of children that the school has been commissioned to provide education for. Currently:
- Profound, Severe, Complex Needs (3 schools in East; 2 in South; 3 in West and 2 in North)
  - Social, Emotional & Mental Health (2 school in East; 3 in South; 1 in West; 1 in North)
  - Communication & Interaction (2 schools in East; 3 in West and 1 in North (N.B. Broomhill Bank has a site in North and West and is listed twice))
  - Communication & Interaction and Learning (1 school in East)
  - Physical Disabilities (1 school in North)
- 2.4 Twenty-three special schools have been judged Good or Outstanding by Ofsted, one school Requires Improvement.
- 2.5 Kent has published a SEND Sufficiency Plan alongside the wider sufficiency plan for mainstream school places, by way of meeting duties to plan for education places for all children and young people. The SEND sufficiency plan<sup>1</sup> was published in January 2024 and sets out the Local Authority's planned approach to the provision of places for children and young people with SEND, including special school places (Key decision no: 23/00107).
- 2.6 The principle underpinning the plan and the Local Authority's financial planning is that the number of special school places will, over time, align with national expectations of special school provision and placement for children for whom the Local Authority maintains an EHC Plan, by geographical area (North, South, East and West), to support the placement of children with an EHC Plan and severe and complex needs in a school that can provide suitable education in or near their local community.
- 2.7 Forecast figures for special school places (state-funded and private) assume a reduction over time in the percentage of the child population for whom an EHCP is maintained and gradual associated changes to the provision of special school places. The Council's sufficiency plan for the provision of special school places will be reviewed and updated on a regular basis, taking account of changes in population.

### The review

- 2.8 The Special School Review was carried out by Local Authority Officers with input from external consultants. The review was carried out in three stages referred to as Exploration, Analysis and Shaping the Future. During the Exploration and Analysis stages the special school review was informed and shaped by a stakeholder reference group. The 'Shaping the Future' phase was informed by four workshops to which all special school head teachers and representative mainstream head teachers were invited. Young people's views were gathered through focus groups. The chronology of engagement is included in appendix one and the timetable of engagement and consultation activities can be found in appendix two.

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<sup>1</sup> [https://www.kent.gov.uk/\\_\\_data/assets/pdf\\_file/0019/162802/SEND-Sufficiency-Plan.pdf](https://www.kent.gov.uk/__data/assets/pdf_file/0019/162802/SEND-Sufficiency-Plan.pdf)



## Key findings and Issues:

- 2.9 Kent should meet duties to plan sufficiency of school places, including for children with SEND, by commissioning special school places, setting out the designation and admission criteria so that there is a coherent continuum with equitable access to provision for children and young people for whom an Education, Health and Care Plan is maintained and who have severe and complex learning needs, such that an adapted curriculum is needed and teaching and learning cannot be provided in an inclusive mainstream school.
- 2.10 Kent has an over-reliance on placement of children with SEND in the special school sector. State-funded special schools are at capacity and consequently placements have been made in private schools. This is not an efficient use of resources, is not financially sustainable and prevents the Local Authority from planning effectively to provide special educational needs provision for those with the most complex and severe SEND in state-funded special schools.
- In 2023/24 in Kent 17.7 children per 1000 aged 2-18 years were placed in a state-funded special school, compared to an England average of 12.5.
  - In 2023/24 in Kent 5.2 per 1000 children aged 2-18 years were placed in a private special school, compared with the England average of 2.8.
  - High Needs Funding spend on state-funded special school places has increased year on year by a percentage that is greater than the increase in High Needs Funding please refer to appendix three. E.g. from 2018/19 to 2023/24 Kent's spend on state-funded special school places increased by 75% and on private sector placements over the same period by just over 116%. Please refer to appendix three showing the overview of change in Kent County Council SEND Spend.
  - The High Needs overspend in 2023/24 is forecast to be around £45m; In March 2023, the cumulative deficit was approximately £140 million (excluding any safety valve contributions from the Department of Education or the Council).
- 2.11 The Local Authority must place children with an EHC Plan in a mainstream school unless to do so would be incompatible with the wishes of the child's parents or the young person or the provision of the efficient use of resources (Children and Families Act 2014, Section 33). Mainstream schools and the Local Authority are expected to be ambitious for children and young people with SEND (SEND Code of Practice 2015). In Kent the over-reliance on special schools has led to placement of some children in a special school, whose attainment is similar to or above that of other children in mainstream schools. This custom and practice in Local Authority decision-making has affected the perception of parents and schools that special school places are planned to meet the needs of children who, in other Local Authorities would be provided with education and a pathway to adulthood in a mainstream setting.
- 2.12 All mainstream schools can predictably expect to provide education for children with children and young people with SEND, who have low attainment, may have Social Emotional and Mental Health (SEMH), speech, language communication

and language needs and/or Autism Spectrum Disorder (ASD) and/or a combination of these needs.

2.13 To meet duties to provide sufficiency of special school places and provide education that is both suitable and an efficient use of resources the Local Authority needs to make decisions that are consistent and ensure proactive forward-looking planning of special school placement for those children and young people whose SEND are severe and complex such that an adapted curriculum needs to be provided.

- Some stakeholders did not feel there were enough special school places.
- The majority expressed a view that some children and young people currently attending special schools could and should be better supported in a mainstream state-funded school.
- Current admission criteria for Kent special schools are such that some schools admit children who are achieving within the range expected for their age (i.e. within two years of their chronological age at secondary transfer) and preclude children with challenging behaviours attending. Some special schools have admission criteria for children with a diagnosis of autism and attainment within the expected range.
- Currently, the designation and admission criteria of some special schools prevent consistent placement planning for those with the most severe and complex SEND, and this combined with a historic reactive rather than proactive place planning approach has resulted in children with complex and severe SEND without a special school place and/or over-reliance on the private sector.
- The Local Authority needs to plan special school places and set admission criteria, working with special schools to enable school leaders to plan for the children and young people's education provision and independence in adulthood. In the recent past special school admission criteria in Kent have been published by Kent special schools.

2.14 The combined effect of issues relating to the lack of medium to long-term planning for placement of children and young people with severe and complex SEND due to historic practice and processes; the capacity of special schools and restrictive admission criteria for some schools has led to:

- Some Kent children travelling out of area and/or long distances within the county because the closest appropriate special school could not admit a child(ren) due to issues related to capacity or admission criteria.
- High home to school transport costs due to the distance travelled by children and young people attending special schools that are at a distance from their home.

2.15 There is not a consistent understanding of the provision made by special schools for children with severe and complex SEND and there are inconsistencies in the provision that special schools provide. This affects the capacity of LA officers to confidently communicate with parents and carers about the provision that has been planned for young people with SEND and/or to make decisions about the provision of effective education that is an efficient use of resource.

- Parents and carers of children and young people with SEND have said that they do not always know what provision is available for their children.
- Special school headteachers have told the Local Authority that officers are not always informed regarding the available resources and / or approach to teaching and learning that are applied in special schools.
- Local Authority officers have said that some special schools with the same designation and admission criteria sometimes provide inconsistent responses to consultations regarding the provision of suitable education.
- Some special schools provide bespoke education for those with the most complex needs, while others request a change of placements for students.

2.16 There have been no substantive changes to the special school funding system since it was reviewed in 2010. Special schools funding rates are based on the different SEN need types of the children attending the school and will also vary depending on the size of the school. There is an increase in requests from Special Schools for exceptional pupil need funding where the current need type of the child does not reflect the level of support required, and subsequently the rate paid to the school. This in part is due to the significant delay in children receiving the appropriate diagnosis from Health services to provide the suitable evidence to update the primary need type through the SEN annual review process. Growing financial pressure within special schools has also been highlighted with most schools forecasting overspends and a handful of maintained special schools also reporting an overall deficit as part of their three-year budget planning (additional support has been provided to these schools to support future financial sustainability and recovery).

#### The continuum of special educational needs provision – proposals for special schools

2.17 The Local Authority provides a continuum of support for children with SEND in:

- Mainstream schools through the provision set out in the mainstream core standards, which includes assessment of a child's special educational needs, planning and meeting the child's needs through provision that can be provided from within a school's resources for children identified as having SEN Support needs, and for some children with an EHCP.
- Specialist Resource Provision (SRP) in a mainstream school with access to specialist teaching and an adapted curriculum which includes education alongside mainstream peers. Children placed in an SRP will have an EHC Plan maintained by the Local Authority.
- Special schools for children who have an EHC Plan and severe and complex special educational needs. The findings of the review have informed proposals for change.

### **3. Proposals for the future**

3.1 Proposals address the issues identified through the review of state-funded special schools in relation to:

- Sufficiency of state-funded special school places
- Designation and admission criteria
- Principles for the special school funding model
- The role of special schools supporting the inclusion of children and young people with (SEND).

3.2 It is the intention of the Local Authority to undertake a public consultation in relation to proposals set out in this paper and plans for implementation.

#### Sufficiency of state-funded special school places

3.3 This has been addressed through the publication of the SEND Sufficiency Plan 2023-27 (Key decision no: 23/00107) and will not be part of a public consultation.

#### Special School Designations and Admission Criteria (Appendix 4)

3.4 To fulfil its duty in planning sufficiency of provision for children with SEND, making efficient use of High Needs Funding, the Local Authority has responsibility for determining the children for whom education provision will be provided in special schools, and as such determining the designation and the admission criteria of its state-funded special schools. To address this issue and ensure that as far as possible there is local state-funded special school provision for children with severe and complex special educational needs within the area of Kent that they live it is proposed that special schools in Kent have one of three designations. These would be:

- Designation: Complex Learning Needs – Profound, Severe, Complex Needs:
  - Admission criteria: learners have a range of needs including profound, multiple learning difficulties, severe learning difficulties, autism spectrum condition, communication disorders and social, emotional mental Health.
- Designation: Social, Emotional, Mental Health Needs:
  - Admission criteria: All pupils have social, emotional, and mental health difficulties with associated challenging behaviour, many have had adverse childhood experiences and/or have additional needs, including autistic spectrum condition, speech, language and communication difficulties, ADHD.
- Designation: Neurodiverse with Learning Difficulties:
  - Admission criteria: All pupils have complex special educational needs, they are neurodiverse and may have a diagnosis of autism, ADHD, or other conditions. The pupils have severe social communication difficulties, learning difficulties and may have social, emotional mental health needs associated with neurodiversity, including severe social anxiety.

- 3.5 Proposed changes to designation and admission criteria would apply to the new intake of children and young people with an EHC Plan from 2026/27. Children already attending the special schools affected by the proposed changes would remain on roll, please refer to appendix four.
- 3.6 This proposal and an associated implementation plan will form part of the public consultation. Specifically, we will seek to understand the impact if the proposal was implemented.

#### Residential Special School Places

- 3.7 It is proposed that residential special school places are planned for children and young people who have an assessed care and/or health need and an assessed special educational need.

#### Special School Capital Programme.

- 3.8 Kent has historically invested in special school buildings; as the demand for special education places has grown over time, space and facility constraints have increased. Capacity and suitability surveys of Kent's state-funded special school buildings carried out in 2021-22 indicated some special schools were providing education in buildings that were over-capacity in terms of the number of students or had aspects of the building that were unsuitable.
- 3.9 Young people have informed us that in order to learn, they need to feel physically safe in their school environment. Some young people recounted instances in which school personnel attempted to move them but were unable to do so themselves or required the assistance of others due to the nature of the building. Some headteachers have identified the accessibility of buildings and/or the limitations of special school buildings as obstacles to the admission of some students and/or the maintenance of special school placements.
- 3.10 The existing capital programme for High Needs includes works relating to the development of new places in special schools, along with increasing the capacity of SEN provision in mainstream schools, in line with the SEN sufficiency plan. It is proposed the programme will be updated, in line with the resources available, to include capital works needed to ensure on-going suitability of buildings in some Kent special schools.

#### Principles for the special school funding model

- 3.11 The following principles are proposed for Kent's future special school funding:
- Supports sustainability and financial planning over the medium to long-term. In anticipation of changes to the national Dedicated School Grant, High Needs Block funding regulations and the introduction of a tariff system, the Local Authority proposes adopting a tariff model of funding for the specialist continuum of high needs funding for children placed in Specialist Resource Provisions and special schools. This is in line with national direction of travel.

- Special school funding is graduated according to the level of resourcing and the extent to which adaptation of the curriculum is integral to provision of suitable education.
- The approach adopted leads to the proportionate and equitable distribution of resources.
- The funding model supports special schools and mainstream schools or FE colleges working together to plan young people's pathway from special to mainstream with a specific focus on post 16 transfer and planning for young people to transition into FE college or specialist post 16 institutions, with the aim of enabling young people to develop skills for independence in adulthood.

3.12 The principles for special school funding will be developed with stakeholder representatives from special schools across each of the four areas of Kent and from schools with different designations. The outcomes of stakeholder engagement and the future funding model will be subject to Schools Forum consultation. This will include feedback from the special school review including benchmarking, therapies, staffing structures and consequent funding decisions.

3.13 The development of a tariff model is expected to align across the continuum of provision to ensure continuity and correlation of funding and resources available to children educated in either a mainstream or special school.

#### The role of special schools supporting the inclusion of children and young people with (SEND)

3.14 Kent is developing a shared understanding of how a continuum of provision across mainstream, SRP and special schools can be delivered. This will inform the development of Local Authority processes, greater collective responsibility for allocation of resources, and placements.

3.15 The proposal that special schools play a role in supporting children with SEND in mainstream schools through the provision of expertise and the opportunity of outreach and in-reach will form part of the public consultation.

## **4. Financial Implications**

4.1 The Council is responsible for both the setting and payment of the Special Schools budgets. Funding for special schools is provided by the Department of Education through the High Needs Block of Dedicated Schools Grant. In 2023-24, Kent spent approximately £152m on special school places. This is the largest expense in the High Needs block, accounting for just over 40% of total spend. This includes approximately £9m on exceptional pupil need (additional funding requests outside the standard funding rates).

4.2 Standard funding rates for special school places (non-residential) range from £11,650 to £30,450 per place, or a minimum of £10,000 per place if the commissioned place remains unfilled. This excludes exceptional pupil need supplementary payments, any additional grants from department of education such as pupil premium or additional Teachers pay and pension grants.

- 4.3 The High Needs Capital Programme totals £61m as agreed in the County Council Budget for 2024-25. This is funded from the Department of Education specific grant. Further funding of £27m has been recently announced and plans for its use are currently being reviewed and will need to consider future recommendations and outcomes of this review.
- 4.4 Kent's Safety Valve agreement with the DfE states: "The authority agrees to implement the DSG management plan that it has set out. This includes action to:
- Implement a countywide approach to 'Inclusive Education,' to further build capacity in mainstream schools to support children and young people with Special Educational Needs and Disabilities (SEND), thus increasing the proportion of children successfully supported in mainstream education and reducing dependence on specialist provision.
  - Ensure there is sufficient and consistent capacity across the county to support children with severe and complex needs in their local area where possible.
  - Develop a school/area-led approach to commissioning of SEN support services (Locality Based Resources), to better respond to the needs of children and young people with SEND<sup>2</sup>.
- 4.2 Kent must implement a sustainable approach to High Needs Funding to meet the DfE Safety Valve agreement and to ensure financial sustainability in this area moving forwards.

## 5. Legal implications

- 5.1 Legal advice for the Special School Review will be sought from Legal Services in the autumn term and endorsement of future proposals by Cabinet committee in addition to the completion of a public consultation. Any individual proposals will follow the statutory processes set out within the DfE documents: Making significant changes to an academy: January 2024 (applies from April 2024) and making significant changes ('prescribed alterations') to maintained schools, both include the requirement to consult on proposals.
- 5.2 Article 7 and 24 of the UN Convention of the Rights of Persons with Disabilities: The UK Government is committed to inclusive education of disabled children and young people and the progressive removal of barriers to learning and participation in mainstream education.
- 5.3 The Children and Families Act 2014, Section 3: The general presumption in law of mainstream education in relation to decisions about where children and young people (CYP) with SEND should be educated, and the Equality Act 2010 provides protection from discrimination for disabled people.
- 5.4 SEND Regulations 2014: All Local authorities have a duty to place a child with an EHC Plan in a parent's preferred school unless this would affect the effective education of others or is incompatible with the efficient use of resources.

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<sup>2</sup> page 2 and 3 DfE Dedicated Schools Grant 'Safety Valve' Agreement: Kent

- 5.5 The SEND Code of Practice 2014: Ensuring that SEND provision has regard to the views, wishes and feelings of the child or young person and their carers/parents.

## 6. Equalities implications

- 6.1 The Review of Special Schools was set up as a project under the Council's wider SEND Transformation Programme. An Equality Impact Assessment (EQIA) has been completed for the programme which concluded there is no potential for discrimination and all appropriate measures have been taken to advance equality and foster good relations between the protected groups. Please refer to Appendix five.

## 7. Risk and Other Factors

- 7.1 Kent was issued an Improvement Notice<sup>3</sup> following the two Ofsted Visits in 2019, which identified 9 areas of significant weaknesses, and 2022, which determined that no significant progress had been made in addressing any of the areas of weakness previously identified. Following the issue of the improvement Kent was required to develop a rapid improvement plan, called an Accelerated Progress Plan<sup>4</sup> (APP) which was agreed with the DfE and published in August 2023. The Review of Special Schools will contribute towards area 2 (A variable quality of provision and commitment to inclusion in schools, and the lack of willingness of some schools to accommodate children and young people with SEND). Failure to adopt the recommendations of the Review of Special Schools will also impact on the Local Area's responsibility to deliver the required improvements under the APP and Safety Valve as outlined earlier.
- 7.2 Kent entered into a Safety Valve agreement<sup>5</sup> with the DfE in May 2023. Under this agreement Kent is required to reach an in-year balance on their DSG by the end of the financial year 2027-28 and sustain this in each subsequent year thereafter. The need to ensure that there is sufficient capacity across the county with severe and complex needs in their local area, where possible is specifically referenced in this agreement. In addition to the need to review the 'specialist continuum to ensure only the most severe and complex needs are supported in special schools' is also cited. The Review of Special Schools is contributing towards reviewing the specialist continuum alongside the Review of Specialist Resource Provisions (SRPs) and the other interdependent review that were referenced earlier in this report.
- 7.3 The Review of Special Schools is supportive of the strategic objectives of Framing Kent's Future<sup>6</sup>, specifically Priority 4 New Models of Care and Support. The Review of Special Schools aims to enable children and young people with special educational needs and disabilities (SEND) to access an education in a setting that is appropriate for their needs. This includes bringing together mainstream and special schools to support and learn from one another and to enhance inclusion across the county. This will enable, where appropriate, more

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<sup>3</sup> [SEND Improvement notice to Kent County Council \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/114111/SEND-Improvement-notice-to-Kent-County-Council.pdf)

<sup>4</sup> [Kent Local Area - Accelerated Progress Plan](#)

<sup>5</sup> [Dedicated Schools Grant 'Safety Valve' Agreement: Kent 2022-2023 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/114111/Dedicated-Schools-Grant-Safety-Valve-Agreement-Kent-2022-2023.pdf)

<sup>6</sup> [Framing Kent's Future - Our Council Strategy 2022-2026](#)



mainstream schools to meet the needs of children and young people with SEND, increasing the choice and proximity of school places, as well as ensuring that special school places can be accessed, as locally as possible, to children and young people with the most severe and complex needs.

- 7.4 Securing Kent's Future<sup>7</sup> prioritises objective 4 within Framing Kent's Future, New Models of Care and Support (see point 6.3). The Review of Special Schools will also enable the Local Authority to ensure that the Best Value duty is being applied and Kent is able to secure value for money in relation to the educational provision that children and young people with an EHC Plan access. As a Local Authority, under the Children and Families Act 2014<sup>8</sup>, must comply with the parent/carer or young person's request unless attendance at the preferred school would not meet their special educational needs, or would be incompatible with the efficient education of others or the efficient use of resources. The efficient use of resources that is referenced under the Children and Families Act regarding placement of children and young people with an EHC Plan ensures that as a Local Authority the Best Value duty can be applied while ensuring a suitable education is provided to children and young people with an EHC Plan.

## **8. Governance**

- 8.1 It is the intention of the service to undertake a period of Public Consultation in relation to the proposals generated by the special school review. The Special School Review will then return to present the findings from the consultation alongside a full set of proposals to Children Young People and Education Cabinet Committee.
- 8.2 Christine McInnes - Director of Education and Special Educational Needs will inherit the main delegations via the Officer Scheme of Delegation.

## **9. Alternatives considered**

- 9.1 The decision was taken to undertake the Review of Special Schools under the wider SEND Transformation Programme as given the current circumstances in Kent including Kent's high DSG deficit and the commitment made to the DfE under Kent' Safety Valve agreement and the Accelerated Progress Plan<sup>9</sup> the option of 'do nothing' and not carrying out the review would not be viable. It is important to note that while carrying out the Review of Special Schools the hard work and commitment of Kent's Special Schools is valued and recognised by the Local Authority. This is also recognised by Ofsted who have rated Kent's Special Schools as either good or outstanding.

## **10. Conclusion**

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<sup>7</sup> [Appendix 1 - Securing Kents Future - Cabinet report.pdf](#)

<sup>8</sup> [Children and Families Act 2014 - Explanatory Notes \(legislation.gov.uk\)](#)

<sup>9</sup> [Kent Local Area - Accelerated Progress Plan](#)

10.1 The special school review was completed during the period January 2022-March 2024 and identifies a range of issues that relate to the effectiveness of planning of special school places for children with an EHC Plan and who have severe and complex SEND. The unintended consequence of admission criteria that result in children who are attaining within the range expected for their age being placed in some special schools and the over-reliance on the private special school sector, in particular.

10.2 A number of changes are proposed, including changes to the designation and admission criteria of some schools; the introduction of principles of funding that reflect the extent to which the curriculum is adapted and a school-to-school outreach model of special school support for children with SEND in mainstream schools.

10.3 It is intended that a full Public Consultation is undertaken in order to seek views on the proposals and plans for implementation.

10.4 Proposals include:

- Changes to the designation and admission criteria of some special schools to enable the Local Authority to provide a continuum of provision in mainstream schools, specialist resource bases and special schools for children with special educational needs for whom an EHC Plan is maintained.
- Introduction of a tariff model of funding the continuum of provision for children with an EHC Plan placed in SRPS and special schools, in line with the national direction of travel.
- The role of special schools in supporting children with SEND in mainstream schools should be developed in a way that is aligned with the development of locality resources and building on existing good practice in some, more developed Local Inclusion Forum Teams.

10.5 The next report in this series of four is the Specialist Resource Provision Review and it will outline the status of SRP review and proposed future path for the review.

## **11. Recommendation(s):**

The Children's, Young People and Education Cabinet Committee is asked to consider and endorse the proposed future pathway pertaining to the review and associated proposals for public consultation.

## **12. Background Documents**

UN Convention of the Rights of Persons with Disabilities [enable convention cover \(un.org\)](https://www.un.org/)

SEND Code of Practice - <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

SEND and AP Improvement Plan -

<https://www.gov.uk/government/publications/send-and-alternative-provision-improvement-plan>

DfE and Kent Safety Valve Agreement -

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1143013/Kent\\_Safety\\_Valve\\_Agreement\\_2022\\_2023.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1143013/Kent_Safety_Valve_Agreement_2022_2023.pdf)

SEND Ofsted and CQC inspection information - <https://www.kent.gov.uk/education-and-children/special-educational-needs/listening-to-your-voice-and-taking-action/ofsted-and-cqc>

Framing Kent' Future - <https://www.kent.gov.uk/about-the-council/strategies-and-policies/framing-kents-future>

Securing Kent's Future – [Appendix 1 - Securing Kents Future - Cabinet report.pdf](#)

Children and Families Act (2014) - <https://www.legislation.gov.uk/ukpga/2014/6>

### 13. Contact details

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**Relevant Director:**

Christine McInnes,  
Director of Education & SEND

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### 14. Appendices

Appendix one: Special School Review Timeline

Appendix two: Special School Review Engagement and Consultation Schedule

Appendix three: Overview of change in Kent County Council SEND Spend

Appendix four: Review of Special Schools Designation and Admissions: Current and future

Appendix five: SEND Transformation Programme Equality Impact Assessment

## **Appendix One: Special School Review Timeline**

<b>Activity</b>	<b>Date</b>
Establishment of Special School Review Stakeholder Reference Group	January 2023
Desk-based research – Kent Special Schools	January 2023 – April 2023
Initial meeting of Special School Review Stakeholder Reference Group (Meeting 1)	February 2023
Pupil Voice – Engagement with pupils attending Kent’s Special Schools	February 2023 – October 2023
Provision Overview Survey with Kent’s Special Schools	March 2023 – April 2023
Kent Special School Headteacher Focus Groups – 4 Area meetings & 1 meeting with SEMH Schools	April 2023
Kent Special School Chair of Governors County Meeting	May 2023
Gap Analysis – Current provision & future need	May 2023 – June 2023
1-1 meetings with Kent’s Special School Headteachers	June 2023 – July 2023
Desk-based research & Benchmarking – Other Local Authorities	June 2023 – August 2023
Wider Stakeholder Focus Groups (NHS & Parents & Carers)	July 2023 – September 2023
Focus Groups with KCC SEN Officers & Managers	July 2023 – September 2023
1-1 meetings with mainstream school Headteachers	September 2023
Follow up 1-1s with Kent Special School Headteachers & School Visits	September 2023 – October 2023
Final meeting of Special School Review Stakeholder Reference Group & presentation of draft recommendations (Meeting 7)	November 2023
Special School Review Recommendation Workshop 1: Supporting Inclusion	December 2023
Special School Review Recommendation Workshop 2: Admissions Criteria, Designation & Curriculum Pathways	January 2024
Special School Review Recommendation Workshop 3: Finance	January 2024
Special School Review Recommendation Workshop 4a: Residential	February 2024
MS Forms survey for draft recommendations	February 2024
Special School Review Recommendation Workshop 4b: Residential follow up	February 2024
Special School Review Recommendation Workshop 4c: Residential follow up	March 2024

Activity	Date
Final proposal of review	March 2024
Presentation of proposal internally for approval	March 2024
Finance task and finish group creation	March 2024
Finance task and finish group workshop series	March - April 2024
Presentation of final proposal to key stakeholders	May 2024
Presentation of proposals to CYPE Cabinet Committee	May 2024

## Appendix two: Special School Review Engagement and Consultation Schedule

Date	Activity	Format	Audience	Agenda
24.02.2023	Meeting 1 of Stakeholder Reference Group	Face-to-Face	KCC staff; KsENT representation; Kent Parents and Carers Together representation; Mainstream & Special School representation; FE representation	<ul style="list-style-type: none"> <li>• Terms of Reference</li> <li>• Aims &amp; expected of outcomes of the Special School Review</li> <li>• Curriculum Pathways Survey – Question Development</li> <li>• Current Context</li> </ul>
24.03.2023	Meeting 2 of Stakeholder Reference Group	Face-to-Face	KCC staff; KsENT representation; Kent Parents and Carers Together representation; Mainstream & Special School representation; Alternative Provision & PRU representation; FE Representative representation; NHS representation	<ul style="list-style-type: none"> <li>• Review of updated Terms of Reference</li> <li>• Meeting schedule</li> <li>• Special School Progress Update               <ul style="list-style-type: none"> <li>○ Special School survey and questions</li> <li>○ Consultant Recruitment Update</li> </ul> </li> <li>• High Needs Funding Session               <ul style="list-style-type: none"> <li>○ DfE Indicators &amp; Formula</li> <li>○ Comparison to other Local Authorities</li> </ul> </li> <li>• Next Steps</li> </ul>
26.04.2023	Meeting 3 of Stakeholder Reference Group	Face-to-Face	KCC staff; FE representation Mainstream & Special School representation;	<ul style="list-style-type: none"> <li>• Special Schools progress update               <ul style="list-style-type: none"> <li>○ Consultant recruitment update</li> </ul> </li> </ul>

			Kent Parents and Carers Together representation; NHS representation	<ul style="list-style-type: none"> <li>○ Initial forecast</li> <li>● Private placements</li> <li>● Initial findings from Special School survey</li> <li>● Stakeholder engagement plan</li> <li>● Risk register</li> <li>● Next steps</li> </ul>
23.05.2023	Meeting 4 of Stakeholder Reference Group	Face-to-Face	KCC staff; KsENT representation; Alternative Provision & PRU representation; Mainstream & Special School representation	<ul style="list-style-type: none"> <li>● Special School progress update <ul style="list-style-type: none"> <li>○ Contingency plan</li> <li>○ Residential placement subgroup update</li> </ul> </li> <li>● Risks</li> <li>● Pupil Voice Engagement Outcomes</li> <li>● Actions from previous meetings</li> <li>● Next steps</li> </ul>
21.06.2023	Meeting 5 of Stakeholder Reference Group	Face-to-Face	KCC staff; External Consultants; Kent Parents and Carers Together representation; Alternative Provision & PRU representation; Mainstream & Special School representation; NHS representation;	<ul style="list-style-type: none"> <li>● Special School progress update <ul style="list-style-type: none"> <li>○ Introduction of consultants – role and action plan</li> <li>○ Residential sub-group</li> </ul> </li> <li>● Risks</li> <li>● Dataset mapping</li> <li>● Travel distance to KCC Special Schools</li> <li>● Pulpil voice summary reporting including next steps</li> </ul>
12.07.2023	Meeting 6 of Stakeholder Reference Group	Face-to-Face	KCC staff; Alternative Provision & PRU	<ul style="list-style-type: none"> <li>● Special school progress update</li> <li>● Review of terms of reference</li> </ul>

			representation; NHS representation; Mainstream & Special School representation; External Consultants	<ul style="list-style-type: none"> <li>○ Membership</li> <li>● Risks</li> <li>● Special school tribunal data</li> <li>● Travel distances to KCC special schools</li> </ul>
12.07.2023 & 13.07.2023	Focus groups with parents/carers of children and young people attending special schools	Virtual	KCC staff; Alternative Provision & PRU representation; NHS representation; Mainstream & Special School representation	<ul style="list-style-type: none"> <li>● Views on the current family of special schools in Kent County Council</li> <li>● Future priorities for these schools</li> <li>● Journey of SEND pupils throughout Kent schools, including admissions</li> <li>● Therapy and health-themed support when pupils are at a special school</li> </ul>
20.09.2023	Meeting 7 of Stakeholder Reference Group	Face-to-Face	Cancelled	Cancelled
09.11.2023	Meeting 8 of Stakeholder Reference Group	Face-to-Face	KCC staff; Mainstream & Special School representation; FE representation; Kent Parents and Carers Together representation; Alternative Provision & PRU representation; NHS representation	<ul style="list-style-type: none"> <li>● Review of terms of reference</li> <li>● Membership</li> <li>● Sufficiency plan update</li> <li>● Special school review progress update</li> <li>● Presentation of draft recommendations</li> </ul>
06.12.2023	Special School Review Recommendation Workshop 1: Supporting Inclusion	Face-to-Face	KCC staff; FE representation;	<ul style="list-style-type: none"> <li>● Locality Model for SEN Inclusion Overview</li> <li>● Supporting Inclusion</li> </ul>



			Mainstream & Special School representation	<ul style="list-style-type: none"> <li>○ The Current Offer</li> <li>○ Good practice from other LAs</li> <li>○ Current in reach &amp; outreach offer to mainstream schools</li> <li>● Options Development <ul style="list-style-type: none"> <li>○ All options for considerations</li> <li>○ Strengths and weaknesses</li> </ul> </li> </ul>
17.01.2024	Special School Review Recommendation Workshop 2: Admissions Criteria, Designation & Curriculum Pathways	Face-to-Face	External Consultants; KCC staff; Mainstream & Special School representation; Alternative Provision & PRU representation; NHS representation; KsENT representation; FE representation	<ul style="list-style-type: none"> <li>● Purpose</li> <li>● Objective of the session</li> <li>● Educational trends</li> <li>● Review of Designations <ul style="list-style-type: none"> <li>○ Discussion of designation changes</li> </ul> </li> <li>● Admission criteria <ul style="list-style-type: none"> <li>○ Discussion on future of admission criteria</li> </ul> </li> <li>● Curriculum <ul style="list-style-type: none"> <li>○ Discussion on how curriculum impacts designation and admissions</li> </ul> </li> </ul>
30.01.2024	Special School Review Recommendation Workshop 3: Finance	Face-to-Face	KCC staff; Mainstream & Special School representation; FE representation; Alternative Provision & PRU representation;	<ul style="list-style-type: none"> <li>● Interdependencies, Safety Valve, Spending</li> <li>● Options for funding models</li> <li>● Table exercise <ul style="list-style-type: none"> <li>○ Benefits &amp; disadvantages</li> </ul> </li> </ul>

			External Consultants; KsENT representation	<ul style="list-style-type: none"> <li>○ Intended consequences of draft funding model</li> <li>● Table exercise feedback <ul style="list-style-type: none"> <li>○ Benefits &amp; disadvantages</li> <li>○ Intended consequences of draft funding model</li> </ul> </li> <li>● Discussion: funding rates and considerations</li> <li>● Next steps</li> </ul>
05.02.2024	Special School Review Recommendation Workshop 4a: Residential	Virtual	KCC staff; Special School representation	<ul style="list-style-type: none"> <li>● Scope of Special School Review</li> <li>● Current Offer</li> <li>● Data deep dive</li> <li>● Data Summary</li> <li>● Discussion</li> <li>● Next steps</li> </ul>
26.02.2024	Special School Review Recommendation Workshop 4b: Residential follow up	Virtual	KCC Staff; Special school representation	<ul style="list-style-type: none"> <li>● Actions set updated</li> </ul>
06.03.2024	Special School Review Recommendation Workshop 4c: Residential follow up	Virtual	KCC Staff; Special school representation	<ul style="list-style-type: none"> <li>● Actions set updated</li> </ul>

**Appendix three: Overview of change in Kent County Council SEND Spend**

	18-19 £'ms	19-20 £'ms	20-21 £'ms	21-22 £'ms	22-23 £'ms	23-24 (Forecast Dec) £'ms	% Change last 5 years
High Needs Grant Income	201	204	223	249	282	311	55%
School Transfer	4	9	9	10	10	12	
Total Income	205	213	231	259	292	323	
Maintained Special School	87	97	106	123	137	152	75%
Private School	36	40	49	60	67	77	120%
Mainstream Individual Support & SRP* **	31	38	46	54	61	66	114%
Post 16 institutions***	16	16	17	19	20	24	49%
Other SEN Support Services	42	43	46	43	45	47	13%
Total Spend	212	234	264	299	329	368	74%
In-year Deficit	-7	-21	-32	-40	-38	-45	

Please note all figures are prior to safety valve contributions from the Department of Education and the Council

**Appendix four: Special School Review Designation and Admission Criteria: Current and Future**

**North**

<b>Current Schools</b>				
<b>School</b>	<b>Current Designation</b>	<b>Proposed Designation</b>	<b>Admission Criteria Change – Yes/No</b>	<b>Commissioned Places 24/25</b>
Milestone Academy 4-19 yrs	Profound, Severe, Complex Needs (PSCN)	PSCN	No	363
Ifield School 4-19 yrs	PSCN	PSCN	No	266
Rowhill School 5-16 yrs	Social, Emotional, Mental Health (SEMH)	SEMH	No	150
Valence (day & residential) 4-19 yrs	Physical Disabilities	PSCN	Yes	115
<b>New School</b>				
Swanley Free Special School 5-9 yrs	PSCN		Planned opening: September 2026	250

East

<b>Current Schools</b>				
<b>School</b>	<b>Current Designation</b>	<b>Proposed Designation</b>	<b>Admission Criteria Change – Yes/No</b>	<b>Commissioned Places 24/25</b>
Meadowfield School 5-19yrs	Profound, Severe Complex Needs (PSCN)	PSCN	No	389
Aspire 5-11yrs	Communication & Interaction (C & I)	Neurodiversity & Learning Needs	Yes	174
Foreland Fields School 3-19yrs	PSCN	PSCN	No	244
Laleham Gap School 11-19yrs	C & I	Neurodiversity & Learning Needs	Yes	207
The Orchard School 7-16yrs	Social, Emotional, Mental Health (SEMH)	SEMH	No	100
St Anthony's School 5-16yrs	SEMH	SEMH	No	98
St Nicholas School 4-19yrs	PSCN	PSCN	No	340
Stone Bay School (incl residential) 5-19yrs	C & I with Learning	PSCN	Yes	103
<b>New Schools</b>				
Whitstable Free Special School 5-19 Yrs	PSCN	Planned opening: September 2026	120	
Special Academy 11-16 yrs	SEMH	Planned opening: during academic year 2024/25	120	

**South**

<b>Current Schools</b>				
<b>School</b>	<b>Current Designation</b>	<b>Proposed Designation</b>	<b>Admission Criteria Change – Yes/No</b>	<b>Commissioned Places 24/25</b>
The Beacon 5-19yrs	Profound, Severe Complex Needs (PSCN)	PSCN	No	408
Elms School 5-16yrs	Social, Emotional, Mental Health (SEMH)	SEMH	No	152
Goldwyn 11-16yrs	SEMH	SEMH	Yes	195
The Wyvern School 5-19yrs	PSCN	PSCN	No	352
Portal House School 11-16yrs	SEMH	SEMH	Yes	80
Whitfield Aspen 1 and 2 5-18yrs	Specialist Resource Provision for CYP with PSCN		No	165

West

<b>Current Schools</b>				
<b>School</b>	<b>Current Designation</b>	<b>Proposed Designation</b>	<b>Admission Criteria Change – Yes/No</b>	<b>Commissioned Places 24/25</b>
Bower Grove School 5-16yrs	Social, Emotional, Mental Health (SEMH)	SEMH	No	225
Five Acre Wood School 4-19yrs	Profound, Severe, Complex Needs (PSCN)	PSCN	No	838
Nexus School 4-19yrs	PSCN	PSCN	No	295
Oakley School 5-19 yrs	PSCN	PSCN	No	212
Snowfields Academy 11-19yrs	Communication & Interaction (C & I)	Neurodiversity & Learning Needs	Yes	324
Broomhill Bank School 11-19yrs	C & I	Neurodiversity & Learning Needs	Yes	393
Grange Park School 10-16yrs	C & I	Neurodiversity & Learning Needs	Yes	211

## Appendix five: Equality Impact Assessment

EQIA Submission Draft Working Template



Information required for the EQIA Submissions App

### EQIA Submission Draft Working Template

If required, this template is for use prior to completing your EQIA Submission in the EQIA App.

You can use it to understand what information is needed beforehand to complete an EQIA submission online, and also as a way to collaborate with others who may be involved with the EQIA.

Note: You can upload this into the App when complete if it contains more detailed information than the App asks for, and you wish to retain this detail.

### Section A

#### 1. Name of Activity (EQIA Title):

Special Educational Needs and Disability (SEND) Transformation Programme

#### 2. Directorate

Children, Young People & Education (CYPE)

#### 3. Responsible Service/Division

Corporate Directors Office (CDO)

#### Accountability and Responsibility

#### 4. Officer completing EQIA

Note: This should be the name of the officer who will be submitting the EQIA onto the App.

Sian Dellaway

#### 5. Head of Service

Note: This should be the Head of Service who will be approving your submitted EQIA.

Christine McInnes

#### 6. Director of Service

Note: This should be the name of your responsible director.

Sarah Hammond

#### The type of Activity you are undertaking

#### 7. What type of activity are you undertaking?

**Service Change** – operational changes in the way we deliver the service to people.

Answer Yes/No

**Yes**

**Service Redesign** – restructure, new operating model, or changes to ways of working. Answer Yes/No

**No**

**Project/Programme** – includes limited delivery of change activity, including partnership projects, external funding projects and capital projects. Answer Yes/No

**Yes**



**Commissioning/Procurement** – means commissioning activity which requires commercial judgement. Answer Yes/No

No

**Strategy /Policy** – includes review, refresh or creating a new document. Answer Yes/No

No

**Other** – Please add details of any other activity type here.

**8. Aims and Objectives and Equality Recommendations** – Note: You will be asked to give a brief description of the aims and objectives of your activity in this section of the App, along with the Equality recommendations. You may use this section to also add any context you feel may be required.

The SEND service in Kent is currently facing and will continue to face an unprecedented growth rate in the demand for EHC Plans. There are currently 19,582\* children and young people with an EHC Plan in Kent, the current forecast predicts that this will rise to 26,077 by 2026. This growth in demand is impacting on the ability of the service to meet statutory duties and timescales. While the increase in demand for SEND services is reflected nationally, Kent is an outlier compared to national averages:

- A pupil in Kent is 20% more likely, on average, to have an EHC Plan that in the rest of England.
- A child or young person with SEND in Kent is more likely to attend a special school than elsewhere in England, including other areas that are statistically similar.
- A pupil in Kent is more than twice as likely to be in a private school than a pupil elsewhere in England.

As a result of these pressures there is a significant level of dissatisfaction of Kent's SEND services amongst parents and carers. Over the last three years complaints data has shown that SEND services receive a higher proportion and volume of complaints compared to the rest of the CYPE directorate and that these have consistently increased:

- In 2019/2020 the total number of SEND complaints was 265
- In 2020/2021 the total number of SEND complaints was 251
- In 2021/2022 the total number of SEND complaints was 423
- In 2022/2023 the total number of SEND complaints was 503

It is important to note that while the number of complaints in relation to SEND services has increased, the proportion of complaints is relatively low:

- In 2020/2021 there were approximately 16,000 open cases within the SEND service of which complaints were made in relation to 1% of these cases

- In 2021/2022 there were approximately 18,000 open cases within the SEND service of which complaints were made in relation to 2% of these cases

Within the last three years there have been two inspections of the Special Educational Needs and Disabilities (SEND) services in Kent carried out by Ofsted and the Care Quality Commission (CQC). The first of the two inspections took place in 2019 and identified several areas of significant weakness which was published in the form of a letter on Ofsted's website in March 2019. The letter identified nine areas of significant weaknesses and a Written Statement of Action (WSOA) was put into place to address these. The second inspection took place in September 2022 and was carried out by Ofsted and CQC to assess whether the local area had made progress in addressing the significant weaknesses identified in the 2019 letter. The revisit concluded that no sufficient progress had been made towards any of the identified significant weaknesses and highlighted that parent and carer confidence was at an all-time low.

In addition to the high demand and growth rate of EHCPs, there has also been a significant increase in spend on the High Needs Funding (HNF) block over the last five years which has resulted in a cumulative deficit. In Kent, the cumulative deficit on the HNF block is forecasted to reach 660 million by the financial year 2027/2028, if left unmitigated. The Department for Education (DfE) has announced its Safety Valve Programme which is for those authorities with the highest dedicated school fund deficits, Kent is one of these authorities. The Safety Valve Programme, whilst not compulsory, involves the DfE providing funding to partly extinguish the cumulative debt arising from existing and forecast overspends on HNF. The programme requires councils to review their local high needs systems so that it is on more sustainable footing and better placed to respond to pupil needs which requires ensuring that in-year spend is in line within year grant funding within a five-year period.

Kent was invited to take part in this programme and were formally accepted onto the programme by the DfE in March 2023 when [Kent's Safety Valve Agreement](#) was published. Within this agreement Kent has agreed to:

- Implement a countywide approach to 'Inclusive Education' to build capacity in mainstream schools to support children and young people with SEND, thus increasing the proportion of children and young people in mainstream education and reducing dependence on specialist provision.
- Introduce a robust SEN offer for early years following a review which explores alternatives to special school admission before Key Stage 2, SEN service Redesign and the implementation of Countywide Approaches to Inclusive Education (CATIE) to support a consistent mainstream offer which includes leadership development programmes, peer review and core training offer.
- Review the system of EHC Plan assessments and annual reviews to ensure robustness, transparency, and consistency, through the use of consistent criteria and practice frameworks.
- Implement models of reintegration of children and young people from private special schools to mainstream where needs have been met.
- Develop a robust Post-16 offer across the county with clear pathways to independence for children and young people with SEN, through increased Post-16 opportunities for preparing for adulthood.

- Develop the Transition Charter to increase parental confidence in Kent's provision. This involves working with schools to enable them to articulate the provision pathways for parents clearly and provide support to both parents and children and young people at key transition points.
- Ensure there is a sufficient and consistent capacity across the county to support children and young people with severe and complex needs in their local area where possible. This includes the recruitment of temporary posts to support sufficiency planning, reviewing the use of Specialist Resource Provision (SRP) and the specialist continuum to ensure only the most severe and complex needs are supported in special schools.
- Develop a school/area-led approach to commissioning of SEN support services (Locality Based Resources) to better respond to the needs of children and young people with SEND.
- Continue working closely with NHS Kent and Medway to ensure a common understanding of SEND needs, including the drivers behind increases in need, ensuring clarity of clinical assessment and subsequent funding associated.

The SEND Transformation Programme was established in 2022 with the overarching aim to make rapid and significant improvements to SEND Services and to address the increasing and unsustainable HNF deficit. The SEND Transformation Programme will achieve this by bringing together a number of existing projects, and establishing new projects, that will contribute to the aims set out in the Safety Valve Programme Agreement over a five-year period, these are listed above and in [Kent's Agreement with the DfE](#). The SEND Transformation Programme has identified the following overarching aims that will drive the required improvements to the SEND service and to achieve the savings required under the Safety Valve Programme:

- To align the number of EHC Plans issued to children and young people in Kent with national averages.
- To improve the experience for children, young people, and their parents/carers.
- To ensure annual reviews are carried out within 12 months.
- To ensure all children and young people with EHC Plans in Kent are placed in the most suitable local setting to meet their needs by increasing inclusion across mainstream settings and ensuring children and young people with the most with the most complex needs being able to access appropriate specialist provision.

Following completion of the review and analysis of the data it has been determined that there is no potential for discrimination and all appropriate measures have been taken to advance equality and foster good relations between the protected groups.

\*Extracted from SEND Synergy Performance Report extracted on 27.10.2023.

## Section B – Evidence

*Note: For questions 9, 10 & 11 at least one of these must be a 'Yes'. You can continue working on the EQIA in the App, but you will not be able to submit it for approval without this information.*

**9. Do you have data related to the protected groups of the people impacted by this activity? Answer: Yes/No**

Yes
<b>10. Is it possible to get the data in a timely and cost-effective way? Answer: Yes/No</b>
Yes
<b>11. Is there national evidence/data that you can use? Answer: Yes/No</b>
Yes <ul style="list-style-type: none"> <li>• <a href="#">Academic Year 21/22 Special Educational Needs in England</a></li> <li>• <a href="#">Academic Year 22/23 Special Educational Needs in England</a></li> </ul>
<b>12. Have you consulted with Stakeholders?</b> Answer: Yes/No Stakeholders are those who have a stake or interest in your project which could be residents, service users, staff, members, statutory and other organisations, VCSE partners etc.
Yes
<b>13. Who have you involved, consulted, and engaged with?</b> Please give details in the box provided. This may be details of those you have already involved, consulted, and engaged with or who you intend to do so with in the future. If the answer to question 12 is 'No', please explain why.
<p>A Communication Strategy in relation to SEND has been approved and is to be adopted by the local area. The strategy outlines who we will engage with and how, stakeholders include KCC staff, education settings (early years providers, mainstream schools, and special schools), mainstream and specialist further education providers, parents, carers, children, young people, and health.</p> <p>The Communication Strategy will be delivered through a number of underlying communication and engagement plans, however, while these are still being developed and put into place a range of engagement activities have already taken place with key stakeholders across the programme. These are outlined below and include activities that have taken place to date and how the programme envisages engagement over the course of the programme longer term.</p> <p><b>Staff</b></p> <p>A significant amount of engagement has been carried out with staff ahead of the SEND Transformation Programme being developed, this was specifically in relation to the development of the new operating model for SEND services and the future staffing structure. Prior to the formal consultation there were staff focus groups held to hear from staff directly so their views, experiences and ideas could inform the initial proposals that were developed, these were held in March 2022.</p> <p>The formal staff consultation was held with all staff across the SEND service from Thursday 26<sup>th</sup> May 2022 through to Friday, 1<sup>st</sup> July 2022. The purpose of the consultation was to share the initial proposal for the new Operating Model, the future structure of the service, the roles required to deliver the new operating model and the rationale for the proposed changes. During the consultation period engagement events were held in each area of the county where senior managers presented the</p>

proposals to staff and invited them to have an open discussion and feedback on the proposal, this feedback was considered and used to inform what the final version of the new operating model would look like. Alongside these events staff were also able to share their feedback and views on the proposals and were also able to share their own alternative proposals for consideration. Following the closure of the formal consultation the final version of the new operating model was shared with all SEND staff on Monday, 18<sup>th</sup> July 2022.

Since the initial formal staff consultation new and centralised means of communicating and engaging with SEND staff have been put into place this has included setting up a dedicated SEND Service MS Teams site which all staff have been added to and regular service updates are shared here. This platform has largely been used to shared information about changes that are to come into place through the activity of the Transformation Programme and operational service updates. Alongside the MS Teams site, senior managers within the SEND service are holding regular briefings for all SEND staff to keep them updated on current activities and what this will mean for them. A monthly bulletin has been established for SEND staff which aims to share key updates and important news.

Across the programme there will also be opportunities for SEND staff to become actively involved in projects, this type of activity will be planned at individual project level and will include, as examples, representation at project working/reference groups, workshops and focus groups. This will ensure that staff will be able share their voice, knowledge, and experience in shaping projects across the programme and having their voices heard and views taken into account about changes that will directly impact upon them. A specific staff group the programme will be targeting is staff with lived experience of SEND, this will enable the programme to capture and ensure that the voice of parents and carers are incorporated alongside the operational views and experiences of staff without lived experience.

The programme will also be looking to keep all staff across the Children, Young People and Education (CYPE) Directorate updated through the weekly CYPE staff bulletin, the CYPE Connection, which shares important news and updates for all CYPE staff. The programme will also look to include staff from across the CYPE directorate in project working/reference groups where appropriate, especially where more integrated working is integral to achieving the best outcomes.

### **Mainstream Schools & Headteachers (including SENCo's)**

The SEND Transformation Programme and the projects that are within this will look to make use of the existing well-established communication channels with mainstream schools and headteachers. This includes the Kelsi Bulletin, a weekly update to all Kent schools from the Director for Education and SEND which summarises key information that is relevant to schools, this has included updates in relation to SEND and the changes that need to be made. Regular Headteacher briefings are held on a termly basis and the projects within the programme can use these events to share project specific detail and engage with Headteachers as and when appropriate. It will be important to make use of these existing channels now and in the future as schools are a key stakeholder within the programme. The programme recognises that these stakeholders will have limited time and capacity and we need to be mindful of how and when the programme and the projects within it communicate and engage with this group to ensure it is streamlined, purposeful and

avoids overburdening and stretching this group with many additional requests and meetings.

The projects within the programme recognise that there are specific activities that will require direct input and engagement with mainstream headteachers and schools, especially to ensure the outcomes are shared and there is buy in to ensure successful delivery. This will be achieved by projects setting up their own individual working/reference groups that will include representation from Headteachers and other key staff within schools, in these instances membership will be carefully sought to achieve maximum representation. There are several projects within the programme that have established groups with Headteacher representation that are currently underway and in place to inform and develop projects.

The key driver for Safety Valve and the wider SEND Transformation Programme is to generate cost-avoidance and to address the increasing and unsustainable HNF deficit. Schools and their engagement are crucial in achieving this and therefore the programme has been and will continue to engage with Kent's School Funding Forum and High Needs Funding Subgroup. These two groups each meet 4 times a year. The High Needs Funding Subgroup has been identified as a way to engage with schools at an individual project level to engage with schools so they are able to input into projects so their insight, views and experience can influence and inform proposals and future changes.

To engage specifically with SENCo's the programme recognises the need to utilise existing forums as much as possible, to date various project leads attended Kent's SENCO and Inclusion Leaders Conference. Promoting and strengthening inclusion within mainstream settings is another key component to the success of the Transformation Programme and this event provided the opportunity to reach a specific group and to engage them in the work that is currently underway across the programme. This group are key to engage with as they closely work with and support children and young people in mainstream settings with SEND to enable them to be included. Kent has established SENCO Forums which are attended by a range of KCC staff working on projects across the programme and will be in a position to not only update on projects that impact on the wider inclusion agenda but to also gather invaluable insights and feedback to help shape and steer projects so the outcomes of these have the best chance to be successful.

Going forwards across the programme where there are recommendations made that will result in significant changes that impact on schools there may be need to formally consult ahead of these coming into place. Where this is required, individual projects will ensure that correct procedures are followed to deliver the consultation and ensure that schools have maximum opportunity to respond to any future proposals so their views can be reflected in any changes that are required to deliver the savings required.

### **Special Schools & Special School Headteachers**

Alongside the mainstream schools and headteachers we are also engaging and involving special schools and their headteachers across the programme, as like mainstream their buy in and engagement to the programme is key to achieving the savings required and to create a more equitable system for children and young people with SEND. The programme recognises the time pressures that are faced within the education sector and has been engaging with this group via existing established forums such as the Kent Special Educational Needs Trust (KSENT)

Strategic Forum which is held on a termly basis. In addition to KSENT Meetings from September 2022 Kent, as the Local Authority, has established regular meetings with all of Kents state-funded special school headteachers.

Representatives from Kent's special schools also attend the School Funding Forum and the High Needs Funding Subgroup alongside mainstream schools and headteachers, each group takes place four times a year. Therefore, as outlined earlier we will use these existing forums to have focussed discussions in relation to finance and the action needed to address the increasing and unsustainable HNF deficit.

There are several projects, and likely to be future projects, which come under the programme that will require specific input from special school staff and/or headteachers. In these instances, individual projects will consider if it is appropriate to establish additional groups such as working, reference or task and finish groups that include representation from this group to ensure the outcomes are shared and there is buy in to ensure successful delivery. Alongside the formal engagement there will also be informal engagement with special schools, this will include visits to individual special schools, specific engagement events and focus groups.

Going forwards across the programme where there are recommendations made that will result in significant changes that impact on special schools there may be need to formally consult ahead of these coming into place. Where this is required, individual projects will ensure that correct procedures are followed to deliver the consultation and ensure that schools have maximum opportunity to respond to any future proposals so their views can be reflected in the formation of any final changes that are required to deliver the savings required.

### **Mainstream Further Education Colleges**

Similarly, to mainstream schools and special schools the Transformation Programme has been engaging and including mainstream FE colleges largely through ensuring they are represented and a part of relevant individual project working/reference groups, examples within the programme include the Recommendation Improvement Groups (RIGs) established under Pathways for All. A Further Education College Conference was also held on Tuesday, 10<sup>th</sup> January 2023 to engage and include FE Colleges in the work of the programme. The conference shared the vision for the future in relation to SEND and what the challenges may be between the local authority and FE colleges. Following this discussion a solution focussed approach was taken and there was further exploration as to how work could be taken forward with more conferences planned for the future.

There has also been informal engagement with mainstream FE colleges and providers in various forms which has and continues to include visits and meetings to find out more about the current landscape and the challenges that are faced by this sector to identify opportunities and alignment to the programme. Currently and moving forwards the Director for Education and SEND is attending the FE High Needs Strategic Workstream.

It is anticipated that where individual projects identify a need in the future for engagement with FE colleges/providers they will consider and likely seek to engage them within working/reference groups as appropriate.

## **Parents & Carers**

Engaging and including parents and carers in the Transformation programme is of high importance, while the programme is aiming to address the growing financial deficit it is also seeking to ensure that the changes made improve the experience of parents and carers, especially as Ofsted found, during their September 2022 inspection, that 'Parental confidence in the local area's ability to meet their children's needs is at an all-time low'.

To ensure that the voices of Kent's parents and carers are reflected in the programme, and the projects within it, Kent's recognised parent-carer forum (Kent PACT) will be one of the ways in which the voice of parents and carers will be captured. This will and has included Kent PACT collecting views of their members, an example of this is the survey that Kent PACT developed and shared with their members to find out about the expectations parents and carers would have of the SEND Enquiries Hub to help inform its development.

Within the programme a review has been carried out of the Collaboration Agreement for Kent's recognised parent-carer forum to ensure that it is fit for purpose and will enable the programme to capture the voices of parents and carers, as part of this an engagement framework is being developed. The engagement framework will act as a practical guide about how and when to engage with parents and carers this will include the recognised parent-carer forum, staff with lived experience and wider groups/forums for parents and carers of children and young people with SEND. As part of the framework a new aspect is identifying and working with staff with lived experience, to date engaging with staff with lived experience has contributed towards a number of commissioning projects including sharing the draft SEND handbook with them for feedback and when amending letters for parents and carers to ensure that the tone and language used is appropriate.

## **Children & Young People**

The programme has established a link with the i-Thrive participation team who work closely with young people to capture their voices and experiences. This team engages with all young people, including those with SEND, to date work has been undertaken by this team to capture the experiences of neurodivergent and autistic young people by collecting voice recordings from young people about their experiences within schools, what support they have received and what else could have helped or added to this support. Workers within this team have started to go out to mainstream schools and working with young people who access a specialist resource provision (SRP) or other types of safe spaces. The focus of these visits has been on bullying and what more can be done to help and support pupils with SEND as this was fed back as a key issue.

The team have also established a Young Autistic Experts Panel, which meets on a virtual and ad hoc basis, giving young people the opportunity to join sessions they are particularly interested in. The i-Thrive Participation Team have identified this being a particular forum that could be used by the programme to engage with neurodivergent and autistic young people in the form of focus groups as an example. The team are also part of the Youth Voice and Engagement Network which brings professionals who engage with and capture the voices of children and young people across various sectors (e.g. voluntary, district councils) so they can share what they are hearing from young people and means voices are being heard and shared on a more broader scale. There is a SEND specific item on the agenda at this quarterly



meeting which focuses on different themes each time to ensure the voices from children and young people are being heard at this scale.

The Youth Participation Coordinator for i-Thrive is a member of one of the programmes operational groups which means there is a direct feedback loop into the programme to enable the programme to have an understanding of what is important to children and young people, their experiences, and ideas. All of the projects in the programme are able to work with i-Thrive to gather views and engage with children and young people with SEND.

### Health

The programme has and will communicate and engage with health colleagues formally via the Integrated Care Board (ICB). Projects within the programme will, and have to date, included health colleagues within project specific working/reference groups as well as focus groups to ensure views are collected and feed into change activities. There has also been active engagement and joint working in relation to therapies which has involved, and will continue to involve, close direct work between local authority and health commissioners.

#### 14. Has there been a previous equality analysis (EQIA) in the last 3 years?

Answer: Yes/No

No

#### 15. Do you have evidence/data that can help you understand the potential impact of your activity?

Answer: Yes/No

Yes

#### Uploading Evidence/Data/related information into the App

Note: At this point, you will be asked to upload the evidence/ data and related information that you feel should sit alongside the EQIA that can help understand the potential impact of your activity. Please ensure that you have this information to upload as the Equality analysis cannot be sent for approval without this.

- SEN Synergy Performance Report
- SEN Synergy EQIA PowerBI Report

### Section C – Impact

#### 16. Who may be impacted by the activity? Select all that apply.

Service users/clients - Answer: Yes/No

Yes

Residents/Communities/Citizens - Answer: Yes/No

Yes

Staff/Volunteers - Answer: Yes/No

Yes

#### 17. Are there any positive impacts for all or any of the protected groups as a result of the activity that you are doing? Answer: Yes/No

Yes

#### 18. Please give details of Positive Impacts

##### Age:

The SEND Transformation Programme will span all age groups within the 0 – 25 range. Over a 12-month period (June 2022 – May 2023) the largest proportion of

EHC Plans were issued to children aged 4 in Kent (on average representing 16.36% of new EHC Plans issued). Due to the longevity of the programme younger children who are issued with EHC Plans are likely to experience a more improved and consistent service as time goes on as more of the improvements made by the projects within the programme become embedded.

While EHC Plans are issued at a young age in Kent, when taking account for all EHC Plan holders data demonstrates that the most EHC Plans are held (overall) by children and young people who are aged 12. This is a significant age as children and young people will have gone through a key transition from the primary to secondary phase of their education. In terms of attainment, it is crucial that children and young people receive the right support that will support them to thrive, especially at this key transition point. National data demonstrates that while the attainment gap between children with SEN and without SEN in Kent is broadly in line with national data, the attainment gap between children with an EHC Plan and those without SEN is slightly worse in Kent compared to national averages. However, the gap between children receiving SEN support and those without SEN is better in Kent when compared to national averages. Therefore, for children at this age, and indeed any age, if plans are reviewed and a greater proportion of children can access SEN Support as opposed to an EHC Plan, where appropriate, their outcomes and attainment are likely to improve longer term.

While the majority of EHC Plans are held by children who are aged 12, there may be some important benefits for older EHC Plan holders especially at post-16. There are two key transitions at post-16 for EHC Plan holders these are the transition from year 11 (secondary school) to year 12 and from year 13 to 14 where a young person continues in education beyond the age of 18. Currently, from age 17 through to 25 the majority of young people who hold an EHC Plan are educated in Further Education Colleges (44.74%) followed by specialist post-16 institutions (16.57%) and maintained special schools (10.53%). While the majority of post-16 EHC Plan holders are educated in Further Education colleges this is then followed by specialist placements.

A review of post-16 specialist placements was carried out and the findings demonstrated that for a significant proportion of young people in specialist post-16 placements these may not be the right placement for the level of support they need<sup>1</sup>. The review found that 58% of young people were not in the right provision for their year 12 transition and that they should have either have been in a mainstream placement or no longer have an EHC Plan, this increased to 65% at the year 14 transition.

The programme will benefit the older cohort of young people with an EHC Plan (ages 17-25) as it will be focussed on improving the decision making in relation to placements so young people will be in the most suitable placement to meet their needs by increasing, where appropriate, the proportions who are in a mainstream post-16 placement (FE Colleges).

The programme will benefit young people who hold EHC Plans by making mainstream post-16 provision/placements, where appropriate, more accessible via more robust pathways so that all young people with an EHC Plan are educated in the most appropriate placement for their needs and to provide them with maximum opportunities to achieve the best outcomes.

**Disability:**

The scope of the SEND Transformation Programme covers the full breadth of the SEND service, the cohort of children and young people who are known to this service will all have a special education need and/or disability and will benefit from the programme and the improvements to the experience. In Kent, the most prevalent need types are<sup>2</sup>:

- Autism Spectrum Disorder (ASD) primary need for 8.2K children and young people.
- Social Emotional Mental Health (SEMH) primary need for 3.9K children and young people.
- Speech Language and Communication Needs (SLCN) primary need for 3.3K children and young people.

The waiting times for diagnosis in relation to these needs is large:

- ASD: The waiting time for an autism spectrum disorder assessment is now between 36 to 42 months<sup>3</sup>
- SLCN: A national report from NHS Confederation in 2022<sup>4</sup> reported that within the community children and young people's services one of the most significant waits is for speech and language therapy. Nationally the wait list for NHS speech and language therapy for children and young people was 65,600 and is also where there has been the biggest increase in wait lists.

These are extensive waiting times which children, young people and their families find frustrating and find it difficult to access support while a diagnosis is being made. While the programme is unlikely to change this as it is a national issue. The programme will bring some additional benefits to children and young people with these needs as there are several projects across the programme that seek to increase the understanding and awareness of these needs and to make support that is available without a diagnosis more accessible and visible to children, young people, and their families.

One example, in relation to Autism, is the development of the Autism Education Trust Training and Strategy for Kent which is now being delivered. The training and strategy are expected to promote greater inclusion in early years, mainstream and post-16 settings and to raise the awareness and understanding of autism across a range of stakeholders. The strategy is now in place and the training for professionals is now being rolled out and autistic children and young people should overtime, as this become embedded, experience an increase in being included within education settings in a way that makes them feel welcome, supported and that their needs are understood by the adults around them at school.

There is also a number of projects which are focussing on improving the offer of support for children and young people with SLCN and their families through the adoption of the Balanced System® across a range of partners including schools and health so there is a consistency in approach. The Balanced System® aims to introduce and establish a seamless universal, targeted and specialist offer for speech, language, and communication. The introduction of a universal offer will mean that families can access support regardless of whether the children or young person has a confirmed diagnosis and, in some instances, will ensure that support and intervention are able to take place at an earlier stage as there will be less

barriers to accessing the universal offer in the first instance. The types of support available at the universal tier include 'Talking Walk Ins' (drop-in sessions for parents/carers of preschool children for SLCN support). There is a key role for schools in the introduction and embedding of the Balanced System® as they will be invited to enter an accreditation scheme which will enable them to adopt a whole school system of SLCN provision to enable children and young people's needs to be met with and without an EHC Plan based on higher level SLCN outcomes. This will also give greater confidence to parents and carers of the quality and availability of SLCN support in a school or setting.

SEMH, unlike ASD and SLCN, is not a formal diagnosis and as such pupils who are identified as SEMH will have a wide range of needs which overlap with both ASD and SLCN, which have long waiting lists/times. Therefore, SEMH pupils will also benefit to a certain extent from the programme due to the introduction of training and strategies for ASD and SLCN which are outlined above. In Kent, the majority of SEMH pupils attend a mainstream academy, however when you look across ages the number of pupils with SEMH as a primary need attending a special school (maintained and private) significantly increases from age 11 to 12, secondary transition. At age 11, there are 133 pupils attending a mainstream academy/maintained school, 52 attend a mainstream special school, 28 attend a private special school and six attend a non-maintained special school. At age 12, the number of pupils with SEMH as primary need attending a maintained special school (88) and private special school (47) significantly increases while the numbers attending a mainstream academy/maintained school remains relatively stable (134) or a non-maintained special school (5). Other examples of initiatives which the programme is seeking to embed across mainstream primary and secondary schools includes the Whole School Nurture service. This service aims to develop inclusive policies and practices within schools with a focus on mental health and wellbeing. This may be of particular benefit for SEMH pupils and take up within secondary schools particularly may improve the pathways for SEMH pupils and support more pupils with these needs to be included in their local mainstream school communities.

**Sex:**

In Kent, the majority of requests for EHC needs assessments were received for boys (64.67%), on average over a 12-month period, compared to girls (35.32%). Equally following assessment, the same pattern is apparent in terms of EHC Plans issued, of all plans issued over the same 12-month period, 66.7% were issued to boys and 33.32% were issued to girls. Furthermore, when reviewing the proportion of EHC Plans held by gender, the majority of EHC Plans are held by boys (72.05%) compared to girls (27.95%). This is in line with national data which shows that 72.8% of EHC Plans held nationally are by boys and 27.2% of EHC Plans are held by girls.

Arguably, as significantly more boys hold an EHC Plan, this will mean that male children and young people will be more likely to benefit from the programme and its impact on inclusion, SEND service improvements, consistent decision making and processes.

**Race:**

Over the last 12 months the largest proportion of EHC Needs Assessment Requests are for children and young people who are white (81.42%), while the fewest requests are received for black children and young people (1.55%). Similar patterns in data can be seen regarding those who hold an EHC Plan, the majority of EHC plans are

held by children and young people from a white ethnic background (72.98%) followed by mixed race (2.54%); black (2.14%), Asian (2.02%) and unknown/other (20.43%). The majority of plans being held by children and young people from a white background is in line with national proportions, nationally 72.38% EHC plans are held by children and young people from a white background, however, nationally the proportions of children and young people who hold EHC Plans from backgrounds other than white are larger: Asian (9.96%); Black (6.9%); Mixed Race (6.76%)<sup>5</sup>.

There is a high proportion of EHC Plan holders in Kent whose racial background is unknown or listed as 'any other ethnic background' which may to an extent be part of the reasons that there are much smaller proportions of children and young people with EHC plans from other than white backgrounds. The SEND Transformation Programme is working towards improving processes with the SEND service that will contribute towards and ensure that decisions that are made, particularly in relation to EHC Plans, are made more consistently ensuring EHC Plans are only issued when required. Therefore, over time the consistent decision making the programme is working towards establishing and implementing may have a positive impact resulting in the proportions of children and young people from racial backgrounds, other than white, in Kent who hold an EHC Plan become more in line with those seen nationally with the gap between these proportions reducing.

#### **Carers Responsibilities:**

All projects that are part of the SEND Transformation Programme will contribute to different aims and objectives but have all been set up with the intention of improving the experiences of those who need to access support from the SEND service. A key focus of the programme to enable improvements to the overall experience is on communication. Following the September 2022 reinspection poor communication from the service was consistently reported by parents/carers: "parents repeatedly told inspectors about their experiences, particularly of poor communication. Examples were evidenced where parents and school staff had attempted to call SEN officers forty or fifty times with no response. The same lack of response was reported for email communication<sup>6</sup>".

The programme aims to change this and make vast improvements, especially for parents/carers of children with SEND, firstly through improving communication by implementing new initiatives like the SEND Enquiries Hub to ensure that when parents/carers need to contact the SEND service that a response is given. Furthermore, to ensure that the programme does reflect and account for needs of parents/carers that opportunities for engagement and co-production are built into projects at an early stage. Therefore, by making these changes under the programme parents/carers should have a better experience and be positively impacted by the programme when engaging and communicating with the SEND service going forwards.

#### **Negative Impacts and Mitigating Actions**

The questions in this section help to think through positive and negative impacts for people affected by your activity. Please use the Evidence you have referred to in Section B and explain the data as part of your answer.

#### **19. Negative Impacts and Mitigating actions for Age**

- a. **Are there negative impacts for Age? Answer: Yes/No**

<i>(If yes, please also complete sections b, c, and d).</i>
Yes
<p><b>b. Details of Negative Impacts for Age</b></p>
<p>Over the last 12 months the majority of requests for an EHC Needs Assessment are typically for children aged 3-4 years (24.94%) and aged 10 years (10.42%), following an assessment the age when the majority of children are first issued with an EHC Plan is 3 (13.89%), 4 (11.05%) and 10 (10.42%). Projects within the programme may result in fewer EHC Plans being issued particularly to children and young people whose needs can be met in a mainstream setting by accessing SEN support, this may impact children at these ages disproportionately as these are the ages when the majority are initially requested and subsequently issued.</p>
<p>At the key transition point from primary to secondary education (age 12) there is currently an increase in the number of children with EHC Plans who go onto to specialist placements, and a decrease in those accessing a mainstream placement compared to children who are aged 11. In terms of mainstream settings (LA maintained schools and academies) there are 266 fewer children with EHC Plans accessing this type of provision. On the other hand, the number accessing a specialist placement at age 12 compared to aged 11 increases:</p> <ul style="list-style-type: none"> <li>• Increase of 171 children at age 12 accessing a maintained special school than those aged 11.</li> <li>• Increase of 70 children at age 12 are accessing a private school that those aged 11.</li> <li>• Decrease of 232 children at ages 12 accessing a mainstream placement than those aged 11.</li> </ul>
<p>The programme aims to decrease the number of children and young people who are placed in inappropriate private placements, therefore, at this age children may be disproportionately impacted by the programme as this will be a key transitional phase where the SEND service will, via the phase transfer process, look to ensure more children who can be appropriately supported in a mainstream setting are placed in this type of setting. This should mean that in time more children at this age will be placed in a mainstream setting, creating capacity in state funded special schools for children with the most complex needs and reducing the current reliance, that there is in Kent, on private placements.</p>
<p>While reviews have demonstrated that a significant proportion of young people at post-16 who are in specialist placements could have had their needs better met in a mainstream setting or without an EHC Plan. In the future the programme aims to see an increase in the number of young people accessing their post-16 education via a mainstream FE college, however, this means that at age 17 young people may experience significant changes and greater adaptation to a new setting than at other ages if they have received the majority of their education in specialist settings. Data currently shows that at this age a higher number of young people are placed in a specialist post-16 institution and the numbers gradually decline after this age.</p>
<p><b>c. Mitigating Actions for Age</b></p>
<p>1. To ensure that all decisions that are made in relation to the EHC Needs Assessment, subsequent issuing of an EHC Plan and placements are made consistently in line with decision making protocols and the law.</p>

2. To introduce a robust and well organised procedure for phase transfer, ensuring that all decisions made regarding placements are made consistently and lawfully.
<b>d. Responsible Officer for Mitigating Actions - Age</b>
Interim Assistant Director SEND Processes/Head of Fair Access
<b>20. Negative Impacts and Mitigating actions for Disability</b>
<b>a. Are there negative impacts for Disability? Answer: Yes/No</b> <i>(If yes, please also complete sections b, c, and d).</i>
Yes
<b>b. Details of Negative Impacts for Disability</b>
The programme will only effect children and young people with SEND. Over time as a direct impact of the programme the number of children and young people who will have their needs met through an EHC Plan will decrease and the proportions who are accessing mainstream provision with SEN support will increase. In the first instance this may feel like a negative impact for children and young people with SEND and their parents/carers. However, over time by increasing inclusivity across mainstream settings and providing earlier intervention and support will mean that, even without an EHC Plan, children and young people with SEND will be able to thrive and be well supported in the most appropriate setting.
<b>c. Mitigating Actions for Disability</b>
<ol style="list-style-type: none"> <li>1. To ensure that all decisions that are made in relation to the EHC Needs Assessment, subsequent issuing of an EHC Plan and placements are made consistently in line with decision making protocols and the law.</li> <li>2. To ensure that all settings are utilising SEN support appropriately and at an early stage and that they know what is available and how to access.</li> <li>3. To ensure that annual reviews are held within the statutory timescale of 12 month and that the appropriate and legal decisions are taken as to whether amend, cease, or maintain an EHC Plan (including where decisions are taken to change a placement)</li> <li>4. To ensure that the County Approach to Inclusive Education (CATIE) strategy is successfully implemented and embedded to maximise inclusivity across the mainstream sector, ensuring that these settings are provided with the opportunities, tools, and training to enable this.</li> </ol>
<b>d. Responsible Officer for Mitigating Actions - Disability</b>
Education Officer, Mainstream Inclusion
<b>21. Negative Impacts and Mitigating actions for Sex</b>
<b>a. Are there negative impacts for Sex? Answer: Yes/No</b> <i>(If yes, please also complete sections b, c, and d).</i>
Yes
<b>b. Details of Negative Impacts for Sex</b>
There is a consistent pattern across Kent that the proportion of requests for an EHC needs assessment are made for boys (64.67%) compared to girls (35.32%) since

June 2022 through to May 2023. These proportions continue to be reflected in the proportions of girls and boys who are issued with an EHC Plan (66.70 % of boys and 33.32% of girls) and for the overall picture for all children and young people in Kent who have an EHC Plan, 72.05% are male and 27.95% are female (not just those who have received an EHC Plan from June 2022 – May 2023). These figures are in line with national data that shows that SEND is more prevalent in boys than girls, 72.4% of EHC Plan holders nationally are boys, and there is a greater proportion of boys who are also accessing SEN support (62.8%). Within Kent as there are a greater number of plans issued to boys compared to girls, while this is in line with national trends, there may be a bigger increase in the number of boys (compared to girls) who following the EHC Needs Assessment are not issued with an EHC Plan and directed to other appropriate forms of support (e.g. SEN Support).

**c. Mitigating Actions for Sex**

To ensure that all decisions that are made in relation to the EHC Needs Assessment, subsequent issuing of an EHC Plan and placements are made consistently in line with decision making protocols and the law.

**d. Responsible Officer for Mitigating Actions - Sex**

Interim Assistant Director for SEND Operations

**22. Negative Impacts and Mitigating actions for Gender identity/transgender**

**a. Are there negative impacts for Gender identity/transgender?**

*Answer: Yes/No*

*(If yes, please also complete sections b, c, and d).*

No

**b. Details of Negative Impacts for Gender identity/transgender**

N/A

**c. Mitigating actions for Gender identity/transgender**

N/A

**d. Responsible Officer for Mitigating Actions - Gender identity/transgender**

N/A

**23. Negative Impacts and Mitigating actions for Race**

**a. Are there negative impacts for Race? Answer: Yes/No**

*(If yes, please also complete sections b, c, and d).*

Yes

**b. Details of Negative Impacts for Race**

The majority of requests for an EHC Plan, and subsequently those that are issued, are predominantly for children and young people of a white ethnic background (81.42% of requests and 72.98% of active EHC Plans). This is reflective of national trends which show the majority of EHC Plans are held by children and young people from a white ethnic background (72.98%). Therefore, as this group accounts for the majority of requests and subsequent plans issued, this group may disproportionately (compared to other ethnic groups) begin to see a decline in the number of requests for assessment being agreed and subsequent plans issued.



<b>c. Mitigating Actions for Race</b>
To ensure that all decisions that are made in relation to the EHC Needs Assessment, subsequent issuing of an EHC Plan and placements are made consistently in line with decision making protocols and the law.
<b>d. Responsible Officer for Mitigating Actions – Race</b>
Interim Assistant Director for SEND Operations
<b>24. Negative Impacts and Mitigating actions for Religion and belief</b>
<b>a. Are there negative impacts for Religion and Belief? Answer: Yes/No</b> <i>(If yes, please also complete sections b, c, and d).</i>
No
<b>b. Details of Negative Impacts for Religion and belief</b>
N/A
<b>c. Mitigating Actions for Religion and belief</b>
N/A
<b>d. Responsible Officer for Mitigating Actions - Religion and belief</b>
N/A
<b>25. Negative Impacts and Mitigating actions for Sexual Orientation</b>
<b>a. Are there negative impacts for sexual orientation. Answer: Yes/No</b> <i>(If yes, please also complete sections b, c, and d).</i>
No
<b>b. Details of Negative Impacts for Sexual Orientation</b>
N/A
<b>c. Mitigating Actions for Sexual Orientation</b>
N/A
<b>d. Responsible Officer for Mitigating Actions - Sexual Orientation</b>
N/A
<b>26. Negative Impacts and Mitigating actions for Pregnancy and Maternity</b>
<b>a. Are there negative impacts for Pregnancy and Maternity? Answer: Yes/No</b> <i>(If yes, please also complete sections b, c, and d).</i>
No
<b>b. Details of Negative Impacts for Pregnancy and Maternity</b>
N/A
<b>c. Mitigating Actions for Pregnancy and Maternity</b>
N/A

<b>d. Responsible Officer for Mitigating Actions - Pregnancy and Maternity</b>
N/A
<b>27. Negative Impacts and Mitigating actions for marriage and civil partnerships</b>
<b>a. Are there negative impacts for Marriage and Civil Partnerships?</b> Answer: Yes/No <i>(If yes, please also complete sections b, c, and d).</i>
No
<b>b. Details of Negative Impacts for Marriage and Civil Partnerships</b>
N/A
<b>c. Mitigating Actions for Marriage and Civil Partnerships</b>
N/A
<b>d. Responsible Officer for Mitigating Actions - Marriage and Civil Partnerships</b>
N/A
<b>28. Negative Impacts and Mitigating actions for Carer's responsibilities</b>
<b>a. Are there negative impacts for Carer's responsibilities?</b> Answer: Yes/No <i>(If yes, please also complete sections b, c, and d).</i>
Yes
<b>b. Details of Negative Impacts for Carer's Responsibilities</b>
<p>The SEND Transformation Programme will lead to a significant number of changes to the operational as well as strategic delivery of the SEND Service. As with all change there can be a decline in service performance as changes come into effect which could mean that initially the experience of parents and carers who interact with the SEND service may be negative in the short term as change takes effect.</p> <p>Parents/carers may also feel that their children may not be getting adequate support and may not agree with the decisions the local authority makes in terms of the EHC Needs Assessment, any decisions taken to not issue an EHC Plan and regarding placements. Projects within the programme may result in fewer EHC Plans being issued particularly to children and young people whose needs can be met in a mainstream setting by accessing SEN support. This could result in an increase in challenge and appeals from parents and carers and subsequently tribunals, which has a negative impact on parents and cares as it takes time away from their families and increases stress and uncertainty when going through the EHC process.</p>
<b>c. Mitigating Actions for Carer's responsibilities</b>
<ol style="list-style-type: none"> <li>To ensure that all decisions that are made in relation to the EHC Needs Assessment, subsequent issuing of an EHC Plan and placements are made consistently in line with decision making protocols and the law.</li> </ol>

2. The SEND Communication Strategy is to be implemented to ensure that our communication with parents and carers improves and is transparent so that parents and carers understand the decisions taken, the situation that Kent faces and are aware of alternative support (including how to access this).

3. To ensure, via the SEND Communication Strategy, that all professionals across the local area are communicating and giving consistent information to parents and carers so that their experience improves and is consistent.

4. To ensure that any changes brought in under the programme are implemented effectively and are closely monitored to ensure that are successfully embedded with any issues or challenges being identified early and rectified. This includes providing SEND staff with the correct training, support, and tools to do their job well.

5. Ensure that there is ongoing engagement with parents and carers throughout the lifetime of the programme so their views and experiences can shape and inform changes that are made under the SEND Transformation Programme.

6. The SEND Enquiries Hub is to act as a first port of call for parent and carers to get answers to the questions they have in a timely way and will ensure that enquiries are resolved as soon as possible.

**d. Responsible Officer for Mitigating Actions - Carer's Responsibilities**

SEND Strategic Development Manager

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**From: Rory Love, Cabinet Member for Education and Skills**

**Sarah Hammond, Corporate Director of Children, Young People and Education**

**To: Children’s, and Young People and Education Cabinet Committee – 16.05.2024**

**Subject: Specialist Resource Provision Review Update**

Non-Key decision

**Past Pathway of report:** None

**Future Pathway of report:** None

**Summary:** The following report provides a synopsis of the Specialist Resource Provision (SRP) Review since the previous paper was presented to The CYPE Cabinet Committee on 16<sup>th</sup> January 2024; it encompasses the key findings following the previous submission and future proposals for the review.

**Recommendation(s):**

The Children’s, Young People and Education Cabinet Committee is asked to note the progress of the Specialist Resource Provision Review.

**1. Introduction**

1.1 This is the fourth and final report in the series presented to cabinet within “Kent SEND transformation projects.”

1.2 Upon the conclusion of phase two of the Specialist Resource Provision (SRP) Review, on January 16<sup>th</sup>, 2024, The Cabinet Member for Education and Skills endorsed the decision to engage in contract and service level agreements (SLA) with mainstream primary and secondary schools to establish SRPs until 31<sup>st</sup> August 2026. The submission constituted a thorough overview of the SRP landscape within the county of Kent. The following report endeavours to underscore the significance of SRPs within the Kent special educational needs (SEN) system, aiming to facilitate coherent system-wide change.

1.3 Phase two of the review produced the following recommendations to be implemented in phase three which is currently ongoing:

1.3.1 To carry out and complete the financial survey for SRP holding schools to establish how much it costs to run an SRP.

1.3.2 Explore the expansion of secondary SRPs.

1.3.3 Review the provision available for primary SRPs to ensure there is equity across the districts.

1.3.4 To use the forecasting information, once made available in June 2023, to plan appropriate pathways from primary to secondary mainstream provision.

- 1.3.5 Place planning and commissioning to move to the Admissions team and the Assistant Directors for Education.
- 1.3.6 To carry out a data accuracy and checking exercise which takes place regularly to ensure high data quality and to identify and understand patterns/trends to inform planning.
- 1.3.7 As part of the next phase of the SRP Review (phase 3 – implementation) to develop reporting templates for schools to support data checking and financial regulation.
- 1.3.8 Establish a transparent reporting mechanism between KCC, schools and parents/carers in relation to SRPs in the form of an annual strategic report.
- 1.3.9 Further exploration to be carried out regarding the feasibility of commissioning and providing post-16 SRP places.
- 1.3.10 Further exploration is to be carried out regarding the feasibility of SRPs with highly specialist designations of Hearing Impairment (HI), Visual Impairment (VI) and Physical Disability (PD).
- 1.3.11 The decision to establish any new provision in Kent (including SRPs) in the future must be strategic, data driven (particularly by the SEND Sufficiency Plan) and led by the Local Authority. At any point when the need to establish any new provision is identified the Local Authority will consult directly with the relevant area and/or district with clear parameters of what is required. A District Decision Protocol should be developed to underpin this process.

## **2. Background**

- 2.1 Phase three of the review has centred on the creation and development of a reporting and monitoring framework alongside continued analysis on a district level to review the pathways available between primary and secondary SRPs.
- 2.2 The reporting templates and monitoring framework developed for schools allow for accurate data checking and financial regulation across Kent. The revised process is transparent, uniform, and supported by operational guidance. The outcome is a reporting mechanism between Kent, schools, parents, and carers which will ensure good practice to be highlighted and shared whilst areas of weakness and poor performance can be swiftly identified and supported by the Local Authority. This annual strategic report is currently being trialled, it will allow data to be collated and observed across different levels, for instance by county, area, district, and individual schools. This will ensure Kent has an accurate picture of SRP capability and performance in a consistent manner.
- 2.3 Between December 2023 and January 2024 further workshops and analysis have taken place internally at an area level to review the pathways between primary and secondary SRPs, please refer to Appendix A: Timeline of engagement. The subjects addressed in these workshops included.
  - 2.3.1 Reviewing data in relation to key findings from the Sufficiency Plan; SRPs and designation in each district by phase.
  - 2.3.2 Current pathways in each district between primary and secondary school SRPs.
  - 2.3.3 Commissioned SRP places viewed against actual SRP places.
  - 2.3.4 Primary school SRP pupil's destination at phase transfer.

- 2.3.5 Travel patterns of SRP pupils and average distance travelled from home to school.
- 2.4 Key findings from phase three to date are:
  - 2.4.1 The Local Authority need to engage in early conversations with parents and career of children attending primary SRPs so that there is a clear understanding of the appropriate pathways into secondary education.
  - 2.4.2 Secondary school destination should be a secondary school SRP unless there is a significant change in the child's need.
  - 2.4.3 There is a variation in the SRP pathways across the districts. For some these were equitable and there was a sufficient provision while there were six districts that were identified which require further analysis (Ashford; Folkestone & Hythe; Gravesham; Maidstone; Sevenoaks; and Thanet)
  - 2.4.4 Further work needs to be undertaken to review some SRP designations, especially specialist designations where special arrangements have been in place historically.
  - 2.4.5 Engagement termed as "District conversations" will be held in the spring/summer terms to collaboratively further explore each district in detail. It is proposed that this would create a detailed provision pathway plan for each district supported by clear and consistent operating policies.
- 2.5 The remaining objectives within Phase 3 are:
  - 2.5.1 Increase secondary school SRP provision to ensure there are clear and equitable pathways between primary and secondary school SRPs.
  - 2.5.2 Review the future viability of all existing SRPs alongside the designations to determine future feasibility and to develop proposals where change could be beneficial.
  - 2.5.3 Review the feasibility of the commissioning and providing of post-16 SRP places and to develop a policy reflecting this.
  - 2.5.4 Review the feasibility of continuing to commission SRPs with highly specialised designations of hearing impairment (HI), visual impairment (VI) and physical disability.
  - 2.5.5 Develop the district decision making protocol which is proposed to be used to consult with areas and/or districts when a need for any new provision is identified by the Local Authority.
  - 2.5.6 Develop a sustainable funding mechanism which reflects the outcomes of the Special School Review and The Locality Model for Special Educational Needs Inclusion which is based on the entirety of the continuum of need.

### **3. Financial Implications**

- 3.1 A financial survey for SRP holding schools was carried out during phase two of the review to establish the financial implications of running an SRP. The findings from this survey were inconclusive. Therefore, the proposal is that the funding mechanism for SRPs should be considered alongside the wider funding changes being made across the High Needs Funding block to ensure continuity and

correlation of funding and resources available to children educated within a mainstream school, within a specialist resource provision or a special school.

- 3.2 Kent currently spends approximately £22m per annum of revenue funding on Specialist Resource Placements. This is funded from the High Needs Block of the Dedicated Schools Grant (DSG), a specific ring-fenced grant from the Department of Education.

#### **4. Legal implications**

- 4.1 Legal advice for the SRP Review will be pursued from Legal Services following the review, endorsement of proposed recommendations, and further evaluation of SRP provision at District level through planned engagement with key stakeholders.
- 4.2 Future recommendations that are taken forward following this review, and any resulting changes must ensure that the Local Authority is able to deliver its statutory duties and is legally compliant.
- 4.3 Article 7 and 24 of the UN Convention of the Rights of Persons with Disabilities<sup>1</sup>: The UK Government is committed to inclusive education of disabled children and young people and the progressive removal of barriers to learning and participation in mainstream education.
- 4.4 The Children and Families Act 2014: The general presumption in law of mainstream education in relation to decisions about where children and young people (CYP) with SEND should be educated, and the Equality Act 2010 provides protection from discrimination for disabled people.
- 4.5 SEND Regulations 2014: All Local authorities have a duty to place a child with an EHC Plan in a parent's preferred school unless this would affect the effective education of others or is incompatible with the efficient use of resources.
- 4.6 The SEND Code of Practice 2014<sup>2</sup>: Ensuring that SEND provision has regard to the views, wishes and feelings of the child or young person and their carers/parents.

#### **5. Equalities implications**

- 5.1 The Review of SRPs was set up as a project under the Council's wider SEND Transformation Programme. An EQIA has been completed for the programme which concluded there is no potential for discrimination and all appropriate measures have been taken to advance equality and foster good relations between the protected groups. Please refer to Appendix B: SEND Transformation Programme Equality Impact Assessment.

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<sup>1</sup> [UN Convention of the Rights of Persons with Disabilities](#)

<sup>2</sup> [SEND Code of Practice](#)



- 5.2 Within phase 3 of the Review of SRPs further EQIA's will be carried out which will be focussed on any specific changes that are proposed under the review.

## 6 Risk and Other Factors

- 6.1 Kent was issued an Improvement Notice<sup>3</sup> following the two Ofsted Visits in 2019, which identified 9 areas of significant weaknesses, and 2022, which determined that no significant progress had been made in addressing any of the areas of weakness previously identified. Following the issue of the improvement Kent was required to develop a rapid improvement plan, called an Accelerated Progress Plan<sup>4</sup> (APP) which was agreed with the DfE and published in August 2023. The Review of SRPs will contribute towards area 5 (Poor standards achieved, and progress made, by too many children and young people with SEND). Failure to adopt the proposal of the SRP Review will also impact on the Local Area's responsibility to deliver the required improvements under the APP and Safety Valve as outlined earlier.
- 6.2 Kent entered into a Safety Valve agreement<sup>5</sup> with the DfE in May 2023. Under this agreement Kent is required to reach an in-year balance on their DSG by the end of the financial year 2027-28 and sustain this in each subsequent year thereafter. The need to ensure that there is sufficient capacity across the county with severe and complex needs in their local area, where possible is specifically referenced in this agreement. In addition to the need to review the 'specialist continuum to ensure only the most severe and complex needs are supported in special schools' is also cited. The SRP Review is contributing towards reviewing the specialist continuum alongside the Review of Specialist Resource Provisions (SRPs) and the other interdependent review that were referenced earlier in this report.
- 6.3 The SRP Review is supportive of the strategic objectives of Framing Kent's Future<sup>6</sup>, specifically Priority 4 New Models of Care and Support. The SRP Review aims to enable children and young people with special educational needs and disabilities (SEND) to access an education in a setting that is appropriate for their needs. This includes bringing together mainstream provisions and special schools to support and learn from one another and to enhance inclusion across the county. This will enable, where appropriate, more mainstream schools to meet the needs of children and young people with SEND, increasing the choice and proximity of school places, as well as ensuring that SRP places can be accessed, as locally as possible, to children and young people with appropriate needs.
- 6.4 Securing Kent's Future<sup>7</sup> prioritises objective 4 within Framing Kent's Future, New Models of Care and Support (see point 6.3). The SRP will also enable the Local Authority to ensure that the Best Value duty is being applied and Kent is able to secure value for money in relation to the educational provision that children and young people with an EHC Plan access. As a Local Authority,

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<sup>3</sup> [SEND Improvement notice to Kent County Council \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

<sup>4</sup> [Kent Local Area - Accelerated Progress Plan](#)

<sup>5</sup> [Dedicated Schools Grant 'Safety Valve' Agreement: Kent 2022-2023 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

<sup>6</sup> [Framing Kent's Future - Our Council Strategy 2022-2026](#)

<sup>7</sup> [Securing Kent's Future – Cabinet Report pdf](#)

under the Children and Families Act 2014<sup>8</sup>, must comply with the parent/carer or young person's request unless attendance at the preferred school would not meet their special educational needs, or would be incompatible with the efficient education of others or the efficient use of resources. The efficient use of resources that is referenced under the Children and Families Act regarding placement of children and young people with an EHC Plan ensures that as a Local Authority the Best Value duty can be applied while ensuring a suitable education is provided to children and young people with an EHC Plan.

## **7 Governance**

- 7.1 The production of the recommendations and next steps are the outcome of the initial phases of the SRP Review. The subsequent phase of the review will determine how these proposals can be incorporated into an implementation plan; this will involve working with schools on a local area basis and costing the implementation plan from the High Needs Asset Board.
- 7.2 Christine McInnes - Director of Education and Special Educational Needs will inherit the main delegations via the Officer Scheme of Delegation.

## **8 Alternatives considered.**

- 8.1 The decision was taken to Review SRPs under the wider SEND Transformation Programme as given the current circumstances in Kent including Kent's high DSG deficit and the commitment made to the DfE under Kent's Safety Valve agreement and the Accelerated Progress Plan the option of 'do nothing' and not carrying out the review would not be viable.

## **9 Conclusions**

- 9.1 This report underscores the critical role of SRPs within Kent's special educational needs system and emphasises the importance of coherent system-wide change. Continuing to move forward further into phase three, the review aims to implement a robust reporting and monitoring framework as business as usual across the County, enhance pathways between primary and secondary school SRPs, and address key findings to ensure equitable provision across districts. With a focus on a sustainable financial model and alignment with Kent's strategic objectives, the SRP Review is positioned to contribute significantly to improving outcomes for children and young people with SEND in Kent. The forthcoming "district conversations" and subsequent implementation plan will further solidify these efforts, ensuring that the needs of all learners are met effectively and inclusively.

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<sup>8</sup> [Children and Families Act 2014 - Explanatory Notes \(legislation.gov.uk\)](https://www.legislation.gov.uk)

## 9. Recommendation(s):

The Children, Young People and Education Cabinet Committee is asked to consider and endorse the proposed future pathway pertaining to the review and associated proposals for next steps.

## 10. Background Documents

UN Convention of the Rights of Persons with Disabilities: [enable convention cover \(un.org\)](#)

SEND Code of Practice: <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

SEND and AP Improvement Plan: <https://www.gov.uk/government/publications/send-and-alternative-provision-improvement-plan>

DfE and Kent Safety Valve Agreement: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1143013/Kent\\_Safety\\_Valve\\_Agreement\\_2022\\_2023.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1143013/Kent_Safety_Valve_Agreement_2022_2023.pdf)

SEND Ofsted and CQC inspection information: <https://www.kent.gov.uk/education-and-children/special-educational-needs/listening-to-your-voice-and-taking-action/ofsted-and-cqc>

Framing Kent' Future: <https://www.kent.gov.uk/about-the-council/strategies-and-policies/framing-kents-future>

Securing Kent's Future: [Appendix 1 - Securing Kents Future - Cabinet report.pdf](#)

Children and Families Act (2014): <https://www.legislation.gov.uk/ukpga/2014/6>

## 11. Contact details

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## 12. Appendices

Appendix One: Review of Specialist Resource Provision Timeline

Appendix Two: SEND Transformation Programme Equality Impact Assessment



**Appendix One: Review of Specialist Resource Provision Timeline**

Activity	Description	Start Date	End Date
Reference Group Meeting 1	<ul style="list-style-type: none"> <li>• Review of ToR</li> <li>• Outline of current landscape and challenges</li> <li>• Examine outcomes and definitions</li> <li>• Examine alternative SRP models and options</li> </ul>	21.03.2023	•
Reference Group Meeting 2	<ul style="list-style-type: none"> <li>• Review of ToR</li> <li>• Outline of current landscape and challenges</li> <li>• Examine outcomes and definitions</li> <li>• Examine alternative SRP models and options</li> </ul>	27.02.2023	•
Reference Group Meeting 3	<ul style="list-style-type: none"> <li>• Designations</li> <li>• Finance and funding</li> </ul>	20.03.2023	-
Reference Group Meeting 4	<ul style="list-style-type: none"> <li>• Review of draft SLA</li> <li>• Update on financial situation</li> <li>• Recommendations for next steps and implementation plan</li> </ul>	19.04.2023	-
Workshop 1	<ul style="list-style-type: none"> <li>• Agree standard definition of SRP</li> <li>• Develop an outline SLA/Contract</li> </ul>	19.02.2023	-
Workshop 2	<ul style="list-style-type: none"> <li>• DfE definition updates</li> <li>• Reporting and frequency</li> <li>• Governance arrangements</li> <li>• Finance</li> </ul>	06.03.2023	-
Workshop 3	<ul style="list-style-type: none"> <li>• Agree KPIs and activity data</li> <li>• Agree monitoring and governance</li> <li>• Finalise draft SLA</li> </ul>	27.03.2023	-
Workshop 4	<ul style="list-style-type: none"> <li>• Proposed implementation plan</li> </ul>	24.04.2023	-
East Kent workshop	<ul style="list-style-type: none"> <li>• Deep dive East area conversation discussing current SRP landscape</li> </ul>	04.12.2023	-
West Kent workshop	<ul style="list-style-type: none"> <li>• Deep dive West area conversation discussing current SRP landscape</li> </ul>	07.12.2023	-

Activity	Description	Start Date	End Date
South Kent workshop	<ul style="list-style-type: none"> <li>• Deep dive West area conversation discussing current SRP landscape</li> </ul>	10.01.2024	-
North Kent workshop	<ul style="list-style-type: none"> <li>• Deep dive West area conversation discussing current SRP landscape</li> </ul>	16.01.2024	-
Additional Data Collection & District Meeting Preparation	Gathering of most up to date data and any additional data that was identified during the deep dives. Planning for district meetings and preparation of slides.	January 2024	March 2024
Consultation with ADEs to discuss capital expenditure	Area Schools Organisation Officer meeting will have the results of the deep dives. This presentation will inform the costings needed for the High Needs Asset board in order to inform future investment	March 2024	April 2024
Cabinet Papers preparation and submission	Working jointly with the localities review and special schools review to prepare and submit one set of cabinet papers that will propose a system wide change (including funding) across the Kent school system working as one continuum.	March 2024	May 2024
Development of Business Cases & Proposals	All proposals are to be developed and finalised along with any business cases; this includes the District Decision Making Protocol.	May 2024	June 2024
Approval of proposals & Business Cases	Appropriate governance processes to be undertaken (sharing proposals at appropriate Group(s)/Board(s) to get authorisation to move to implementation.	July 2024	August 2024
Implementation & Consultation	Changes, where appropriate, are to be implemented, and any consultations that are required should be undertaken from this point.	September 2024	

## Appendix Two - Equality Impact Assessment

### EQIA Submission Draft Working Template



### Information required for the EQIA Submissions App

#### EQIA Submission Draft Working Template

If required, this template is for use prior to completing your EQIA Submission in the EQIA App.

You can use it to understand what information is needed beforehand to complete an EQIA submission online, and also as a way to collaborate with others who may be involved with the EQIA.

Note: You can upload this into the App when complete if it contains more detailed information than the App asks for, and you wish to retain this detail.

#### Section A

##### 1. Name of Activity (EQIA Title):

Special Educational Needs and Disability (SEND) Transformation Programme

##### 2. Directorate

Children, Young People & Education (CYPE)

##### 3. Responsible Service/Division

Corporate Directors Office (CDO)

#### Accountability and Responsibility

##### 4. Officer completing EQIA

Note: This should be the name of the officer who will be submitting the EQIA onto the App.

Sian Dellaway

##### 5. Head of Service

Note: This should be the Head of Service who will be approving your submitted EQIA.

Christine McInnes

##### 6. Director of Service

Note: This should be the name of your responsible director.

Sarah Hammond

#### The type of Activity you are undertaking

##### 7. What type of activity are you undertaking?

**Service Change** – *operational changes in the way we deliver the service to people.*  
Answer Yes/No

**Yes**

**Service Redesign** – *restructure, new operating model, or changes to ways of working.* Answer Yes/No

**No**

**Project/Programme** – *includes limited delivery of change activity, including partnership projects, external funding projects and capital projects.* Answer Yes/No

**Yes**

**Commissioning/Procurement** – means commissioning activity which requires commercial judgement. Answer Yes/No

No

**Strategy /Policy** – includes review, refresh or creating a new document. Answer Yes/No

No

**Other** – Please add details of any other activity type here.

**8. Aims and Objectives and Equality Recommendations** – Note: You will be asked to give a brief description of the aims and objectives of your activity in this section of the App, along with the Equality recommendations. You may use this section to also add any context you feel may be required.

The SEND service in Kent is currently facing and will continue to face an unprecedented growth rate in the demand for EHC Plans. There are currently 19,582\* children and young people with an EHC Plan in Kent, the current forecast predicts that this will rise to 26,077 by 2026. This growth in demand is impacting on the ability of the service to meet statutory duties and timescales. While the increase in demand for SEND services is reflected nationally, Kent is an outlier compared to national averages:

- A pupil in Kent is 20% more likely, on average, to have an EHC Plan that in the rest of England.
- A child or young person with SEND in Kent is more likely to attend a special school than elsewhere in England, including other areas that are statistically similar.
- A pupil in Kent is more than twice as likely to be in an independent school than a pupil elsewhere in England.

As a result of these pressures there is a significant level of dissatisfaction of Kent's SEND services amongst parents and carers. Over the last three years complaints data has shown that SEND services receive a higher proportion and volume of complaints compared to the rest of the CYPE directorate and that these have consistently increased:

- In 2019/2020 the total number of SEND complaints was 265
- In 2020/2021 the total number of SEND complaints was 251
- In 2021/2022 the total number of SEND complaints was 423
- In 2022/2023 the total number of SEND complaints was 503

It is important to note that while the number of complaints in relation to SEND services has increased, the proportion of complaints is relatively low:

- In 2020/2021 there were approximately 16,000 open cases within the SEND service of which complaints were made in relation to 1% of these cases



- In 2021/2022 there were approximately 18,000 open cases within the SEND service of which complaints were made in relation to 2% of these cases

Within the last three years there have been two inspections of the Special Educational Needs and Disabilities (SEND) services in Kent carried out by Ofsted and the Care Quality Commission (CQC). The first of the two inspections took place in 2019 and identified several areas of significant weakness which was published in the form of a letter on Ofsted's website in March 2019. The letter identified nine areas of significant weaknesses and a Written Statement of Action (WSOA) was put into place to address these. The second inspection took place in September 2022 and was carried out by Ofsted and CQC to assess whether the local area had made progress in addressing the significant weaknesses identified in the 2019 letter. The revisit concluded that no sufficient progress had been made towards any of the identified significant weaknesses and highlighted that parent and carer confidence was at an all-time low.

In addition to the high demand and growth rate of EHCPs, there has also been a significant increase in spend on the High Needs Funding (HNF) block over the last five years which has resulted in a cumulative deficit. In Kent, the cumulative deficit on the HNF block is forecasted to reach 660 million by the financial year 2027/2028, if left unmitigated. The Department for Education (DfE) has announced its Safety Valve Programme which is for those authorities with the highest dedicated school fund deficits, Kent is one of these authorities. The Safety Valve Programme, whilst not compulsory, involves the DfE providing funding to partly extinguish the cumulative debt arising from existing and forecast overspends on HNF. The programme requires councils to review their local high needs systems so that it is on more sustainable footing and better placed to respond to pupil needs which requires ensuring that in-year spend is in line within year grant funding within a five-year period.

Kent was invited to take part in this programme and were formally accepted onto the programme by the DfE in March 2023 when [Kent's Safety Valve Agreement](#) was published. Within this agreement Kent has agreed to:

- Implement a countywide approach to 'Inclusive Education' to build capacity in mainstream schools to support children and young people with SEND, thus increasing the proportion of children and young people in mainstream education and reducing dependence on specialist provision.
- Introduce a robust SEN offer for early years following a review which explores alternatives to special school admission before Key Stage 2, SEN service Redesign and the implementation of Countywide Approaches to Inclusive Education (CATIE) to support a consistent mainstream offer which includes leadership development programmes, peer review and core training offer.
- Review the system of EHC Plan assessments and annual reviews to ensure robustness, transparency, and consistency, through the use of consistent criteria and practice frameworks.
- Implement models of reintegration of children and young people from special/independent schools to mainstream where needs have been met.
- Develop a robust Post-16 offer across the county with clear pathways to independence for children and young people with SEN, through increased Post-16 opportunities for preparing for adulthood.

- Develop the Transition Charter to increase parental confidence in Kent's provision. This involves working with schools to enable them to articulate the provision pathways for parents clearly and provide support to both parents and children and young people at key transition points.
- Ensure there is a sufficient and consistent capacity across the county to support children and young people with severe and complex needs in their local area where possible. This includes the recruitment of temporary posts to support sufficiency planning, reviewing the use of Specialist Resource Provision (SRP) and the specialist continuum to ensure only the most severe and complex needs are supported in special schools.
- Develop a school/area-led approach to commissioning of SEN support services (Locality Based Resources) to better respond to the needs of children and young people with SEND.
- Continue working closely with NHS Kent and Medway to ensure a common understanding of SEND needs, including the drivers behind increases in need, ensuring clarity of clinical assessment and subsequent funding associated.

The SEND Transformation Programme was established in 2022 with the overarching aim to make rapid and significant improvements to SEND Services and to address the increasing and unsustainable HNF deficit. The SEND Transformation Programme will achieve this by bringing together a number of existing projects, and establishing new projects, that will contribute to the aims set out in the Safety Valve Programme Agreement over a five-year period, these are listed above and in [Kent's Agreement with the DfE](#). The SEND Transformation Programme has identified the following overarching aims that will drive the required improvements to the SEND service and to achieve the savings required under the Safety Valve Programme:

- To align the number of EHC Plans issued to children and young people in Kent with national averages.
- To improve the experience for children, young people, and their parents/carers.
- To ensure annual reviews are carried out within 12 months.
- To ensure all children and young people with EHC Plans in Kent are placed in the most suitable local setting to meet their needs by increasing inclusion across mainstream settings and ensuring children and young people with the most with the most complex needs being able to access appropriate specialist provision.

Following completion of the review and analysis of the data it has been determined that there is no potential for discrimination and all appropriate measures have been taken to advance equality and foster good relations between the protected groups.

\*Extracted from SEND Synergy Performance Report extracted on 27.10.2023.

## Section B – Evidence

*Note: For questions 9, 10 & 11 at least one of these must be a 'Yes'. You can continue working on the EQIA in the App, but you will not be able to submit it for approval without this information.*

**9. Do you have data related to the protected groups of the people impacted by this activity?** Answer: Yes/No

Yes

<b>10. Is it possible to get the data in a timely and cost-effective way? Answer: Yes/No</b>
Yes
<b>11. Is there national evidence/data that you can use? Answer: Yes/No</b>
Yes <ul style="list-style-type: none"> <li>• <a href="#">Academic Year 21/22 Special Educational Needs in England</a></li> <li>• <a href="#">Academic Year 22/23 Special Educational Needs in England</a></li> </ul>
<b>12. Have you consulted with Stakeholders?</b> <i>Answer: Yes/No</i> <i>Stakeholders are those who have a stake or interest in your project which could be residents, service users, staff, members, statutory and other organisations, VCSE partners etc.</i>
Yes
<b>13. Who have you involved, consulted, and engaged with?</b> <i>Please give details in the box provided. This may be details of those you have already involved, consulted, and engaged with or who you intend to do so with in the future. If the answer to question 12 is 'No', please explain why.</i>
<p>A Communication Strategy in relation to SEND has been approved and is to be adopted by the local area. The strategy outlines who we will engage with and how, stakeholders include KCC staff, education settings (early years providers, mainstream schools, and special schools), mainstream and specialist further education providers, parents, carers, children, young people, and health.</p> <p>The Communication Strategy will be delivered through a number of underlying communication and engagement plans, however, while these are still being developed and put into place a range of engagement activities have already taken place with key stakeholders across the programme. These are outlined below and include activities that have taken place to date and how the programme envisages engagement over the course of the programme longer term.</p> <p><b>Staff</b></p> <p>A significant amount of engagement has been carried out with staff ahead of the SEND Transformation Programme being developed, this was specifically in relation to the development of the new operating model for SEND services and the future staffing structure. Prior to the formal consultation there were staff focus groups held to hear from staff directly so their views, experiences and ideas could inform the initial proposals that were developed, these were held in March 2022.</p> <p>The formal staff consultation was held with all staff across the SEND service from Thursday 26<sup>th</sup> May 2022 through to Friday, 1<sup>st</sup> July 2022. The purpose of the consultation was to share the initial proposal for the new Operating Model, the future structure of the service, the roles required to deliver the new operating model and the rationale for the proposed changes. During the consultation period engagement events were held in each area of the county where senior managers presented the proposals to staff and invited them to have an open discussion and feedback on the proposal, this feedback was considered and used to inform what the final version of</p>

the new operating model would look like. Alongside these events staff were also able to share their feedback and views on the proposals and were also able to share their own alternative proposals for consideration. Following the closure of the formal consultation the final version of the new operating model was shared with all SEND staff on Monday, 18<sup>th</sup> July 2022.

Since the initial formal staff consultation new and centralised means of communicating and engaging with SEND staff have been put into place this has included setting up a dedicated SEND Service MS Teams site which all staff have been added to and regular service updates are shared here. This platform has largely been used to shared information about changes that are to come into place through the activity of the Transformation Programme and operational service updates. Alongside the MS Teams site, senior managers within the SEND service are holding regular briefings for all SEND staff to keep them updated on current activities and what this will mean for them. A monthly bulletin has been established for SEND staff which aims to share key updates and important news.

Across the programme there will also be opportunities for SEND staff to become actively involved in projects, this type of activity will be planned at individual project level and will include, as examples, representation at project working/reference groups, workshops and focus groups. This will ensure that staff will be able share their voice, knowledge, and experience in shaping projects across the programme and having their voices heard and views taken into account about changes that will directly impact upon them. A specific staff group the programme will be targeting is staff with lived experience of SEND, this will enable the programme to capture and ensure that the voice of parents and carers are incorporated alongside the operational views and experiences of staff without lived experience.

The programme will also be looking to keep all staff across the Children, Young People and Education (CYPE) Directorate updated through the weekly CYPE staff bulletin, the CYPE Connection, which shares important news and updates for all CYPE staff. The programme will also look to include staff from across the CYPE directorate in project working/reference groups where appropriate, especially where more integrated working is integral to achieving the best outcomes.

### **Mainstream Schools & Headteachers (including SENCo's)**

The SEND Transformation Programme and the projects that are within this will look to make use of the existing well-established communication channels with mainstream schools and headteachers. This includes the Kelsi Bulletin, a weekly update to all Kent schools from the Director for Education and SEND which summarises key information that is relevant to schools, this has included updates in relation to SEND and the changes that need to be made. Regular Headteacher briefings are held on a termly basis and the projects within the programme can use these events to share project specific detail and engage with Headteachers as and when appropriate. It will be important to make use of these existing channels now and in the future as schools are a key stakeholder within the programme. The programme recognises that these stakeholders will have limited time and capacity and we need to be mindful of how and when the programme and the projects within it communicate and engage with this group to ensure it is streamlined, purposeful and avoids overburdening and stretching this group with many additional requests and meetings.

The projects within the programme recognise that there are specific activities that will require direct input and engagement with mainstream headteachers and schools, especially to ensure the outcomes are shared and there is buy in to ensure successful delivery. This will be achieved by projects setting up their own individual working/reference groups that will include representation from Headteachers and other key staff within schools, in these instances membership will be carefully sought to achieve maximum representation. There are several projects within the programme that have established groups with Headteacher representation that are currently underway and in place to inform and develop projects.

The key driver for Safety Valve and the wider SEND Transformation Programme is to generate cost-avoidance and to address the increasing and unsustainable HNF deficit. Schools and their engagement are crucial in achieving this and therefore the programme has been and will continue to engage with Kent's School Funding Forum and High Needs Funding Subgroup. These two groups each meet 4 times a year. The High Needs Funding Subgroup has been identified as a way to engage with schools at an individual project level to engage with schools so they are able to input into projects so their insight, views and experience can influence and inform proposals and future changes.

To engage specifically with SENCo's the programme recognises the need to utilise existing forums as much as possible, to date various project leads attended Kent's SENCO and Inclusion Leaders Conference. Promoting and strengthening inclusion within mainstream settings is another key component to the success of the Transformation Programme and this event provided the opportunity to reach a specific group and to engage them in the work that is currently underway across the programme. This group are key to engage with as they closely work with and support children and young people in mainstream settings with SEND to enable them to be included. Kent has established SENCO Forums which are attended by a range of KCC staff working on projects across the programme and will be in a position to not only update on projects that impact on the wider inclusion agenda but to also gather invaluable insights and feedback to help shape and steer projects so the outcomes of these have the best chance to be successful.

Going forwards across the programme where there are recommendations made that will result in significant changes that impact on schools there may be need to formally consult ahead of these coming into place. Where this is required, individual projects will ensure that correct procedures are followed to deliver the consultation and ensure that schools have maximum opportunity to respond to any future proposals so their views can be reflected in any changes that are required to deliver the savings required.

### **Special Schools & Special School Headteachers**

Alongside the mainstream schools and headteachers we are also engaging and involving special schools and their headteachers across the programme, as like mainstream their buy in and engagement to the programme is key to achieving the savings required and to create a more equitable system for children and young people with SEND. The programme recognises the time pressures that are faced within the education sector and has been engaging with this group via existing established forums such as the Kent Special Educational Needs Trust (KSENT) Strategic Forum which is held on a termly basis. In addition to KSENT Meetings from September 2022 Kent, as the Local Authority, has established regular meetings with all of Kents state-funded special school headteachers.

Representatives from Kent's special schools also attend the School Funding Forum and the High Needs Funding Subgroup alongside mainstream schools and headteachers, each group takes place four times a year. Therefore, as outlined earlier we will use these existing forums to have focussed discussions in relation to finance and the action needed to address the increasing and unsustainable HNF deficit.

There are several projects, and likely to be future projects, which come under the programme that will require specific input from special school staff and/or headteachers. In these instances, individual projects will consider if it is appropriate to establish additional groups such as working, reference or task and finish groups that include representation from this group to ensure the outcomes are shared and there is buy in to ensure successful delivery. Alongside the formal engagement there will also be informal engagement with special schools, this will include visits to individual special schools, specific engagement events and focus groups.

Going forwards across the programme where there are recommendations made that will result in significant changes that impact on special schools there may be need to formally consult ahead of these coming into place. Where this is required, individual projects will ensure that correct procedures are followed to deliver the consultation and ensure that schools have maximum opportunity to respond to any future proposals so their views can be reflected in the formation of any final changes that are required to deliver the savings required.

### **Mainstream Further Education Colleges**

Similarly, to mainstream schools and special schools the Transformation Programme has been engaging and including mainstream FE colleges largely through ensuring they are represented and a part of relevant individual project working/reference groups, examples within the programme include the Recommendation Improvement Groups (RIGs) established under Pathways for All. A Further Education College Conference was also held on Tuesday, 10<sup>th</sup> January 2023 to engage and include FE Colleges in the work of the programme. The conference shared the vision for the future in relation to SEND and what the challenges may be between the local authority and FE colleges. Following this discussion a solution focussed approach was taken and there was further exploration as to how work could be taken forward with more conferences planned for the future.

There has also been informal engagement with mainstream FE colleges and providers in various forms which has and continues to include visits and meetings to find out more about the current landscape and the challenges that are faced by this sector to identify opportunities and alignment to the programme. Currently and moving forwards the Director for Education and SEND is attending the FE High Needs Strategic Workstream.

It is anticipated that where individual projects identify a need in the future for engagement with FE colleges/providers they will consider and likely seek to engage them within working/reference groups as appropriate.

### **Parents & Carers**

Engaging and including parents and carers in the Transformation programme is of high importance, while the programme is aiming to address the growing financial

deficit it is also seeking to ensure that the changes made improve the experience of parents and carers, especially as Ofsted found, during their September 2022 inspection, that 'Parental confidence in the local area's ability to meet their children's needs is at an all-time low'.

To ensure that the voices of Kent's parents and carers are reflected in the programme, and the projects within it, Kent's recognised parent-carer forum (Kent PACT) will be one of the ways in which the voice of parents and carers will be captured. This will and has included Kent PACT collecting views of their members, an example of this is the survey that Kent PACT developed and shared with their members to find out about the expectations parents and carers would have of the SEND Enquiries Hub to help inform its development.

Within the programme a review has been carried out of the Collaboration Agreement for Kent's recognised parent-carer forum to ensure that it is fit for purpose and will enable the programme to capture the voices of parents and carers, as part of this an engagement framework is being developed. The engagement framework will act as a practical guide about how and when to engage with parents and carers this will include the recognised parent-carer forum, staff with lived experience and wider groups/forums for parents and carers of children and young people with SEND. As part of the framework a new aspect is identifying and working with staff with lived experience, to date engaging with staff with lived experience has contributed towards a number of commissioning projects including sharing the draft SEND handbook with them for feedback and when amending letters for parents and carers to ensure that the tone and language used is appropriate.

### **Children & Young People**

The programme has established a link with the i-Thrive participation team who work closely with young people to capture their voices and experiences. This team engages with all young people, including those with SEND, to date work has been undertaken by this team to capture the experiences of neurodivergent and autistic young people by collecting voice recordings from young people about their experiences within schools, what support they have received and what else could have helped or added to this support. Workers within this team have started to go out to mainstream schools and working with young people who access a specialist resource provision (SRP) or other types of safe spaces. The focus of these visits has been on bullying and what more can be done to help and support pupils with SEND as this was fed back as a key issue.

The team have also established a Young Autistic Experts Panel, which meets on a virtual and ad hoc basis, giving young people the opportunity to join sessions they are particularly interested in. The i-Thrive Participation Team have identified this being a particular forum that could be used by the programme to engage with neurodivergent and autistic young people in the form of focus groups as an example. The team are also part of the Youth Voice and Engagement Network which brings professionals who engage with and capture the voices of children and young people across various sectors (e.g. voluntary, district councils) so they can share what they are hearing from young people and means voices are being heard and shared on a more broader scale. There is a SEND specific item on the agenda at this quarterly meeting which focuses on different themes each time to ensure the voices from children and young people are being heard at this scale.

The Youth Participation Coordinator for i-Thrive is a member of one of the programmes operational groups which means there is a direct feedback loop into the programme to enable the programme to have an understanding of what is important to children and young people, their experiences, and ideas. All of the projects in the programme are able to work with i-Thrive to gather views and engage with children and young people with SEND.

### Health

The programme has and will communicate and engage with health colleagues formally via the Integrated Care Board (ICB). Projects within the programme will, and have to date, included health colleagues within project specific working/reference groups as well as focus groups to ensure views are collected and feed into change activities. There has also been active engagement and joint working in relation to therapies which has involved, and will continue to involve, close direct work between local authority and health commissioners.

### 14. Has there been a previous equality analysis (EQIA) in the last 3 years?

Answer: Yes/No

No

### 15. Do you have evidence/data that can help you understand the potential impact of your activity?

Answer: Yes/No

Yes

### Uploading Evidence/Data/related information into the App

*Note: At this point, you will be asked to upload the evidence/ data and related information that you feel should sit alongside the EQIA that can help understand the potential impact of your activity. Please ensure that you have this information to upload as the Equality analysis cannot be sent for approval without this.*

- SEN Synergy Performance Report
- SEN Synergy EQIA PowerBI Report

### Section C – Impact

### 16. Who may be impacted by the activity? Select all that apply.

Service users/clients - Answer: Yes/No

Yes

Residents/Communities/Citizens - Answer: Yes/No

Yes

Staff/Volunteers - Answer: Yes/No

Yes

### 17. Are there any positive impacts for all or any of the protected groups as a result of the activity that you are doing? Answer: Yes/No

Yes

### 18. Please give details of Positive Impacts

#### Age:

The SEND Transformation Programme will span all age groups within the 0 – 25 range. Over a 12-month period (June 2022 – May 2023) the largest proportion of EHC Plans were issued to children aged 4 in Kent (on average representing 16.36% of new EHC Plans issued). Due to the longevity of the programme younger children who are issued with EHC Plans are likely to experience a more improved and



consistent service as time goes on as more of the improvements made by the projects within the programme become embedded.

While EHC Plans are issued at a young age in Kent, when taking account for all EHC Plan holders data demonstrates that the most EHC Plans are held (overall) by children and young people who are aged 12. This is a significant age as children and young people will have gone through a key transition from the primary to secondary phase of their education. In terms of attainment, it is crucial that children and young people receive the right support that will support them to thrive, especially at this key transition point. National data demonstrates that while the attainment gap between children with SEN and without SEN in Kent is broadly in line with national data, the attainment gap between children with an EHC Plan and those without SEN is slightly worse in Kent compared to national averages. However, the gap between children receiving SEN support and those without SEN is better in Kent when compared to national averages. Therefore, for children at this age, and indeed any age, if plans are reviewed and a greater proportion of children can access SEN Support as opposed to an EHC Plan, where appropriate, their outcomes and attainment are likely to improve longer term.

While the majority of EHC Plans are held by children who are aged 12, there may be some important benefits for older EHC Plan holders especially at post-16. There are two key transitions at post-16 for EHC Plan holders these are the transition from year 11 (secondary school) to year 12 and from year 13 to 14 where a young person continues in education beyond the age of 18. Currently, from age 17 through to 25 the majority of young people who hold an EHC Plan are educated in Further Education Colleges (44.74%) followed by specialist post-16 institutions (16.57%) and maintained special schools (10.53%). While the majority of post-16 EHC Plan holders are educated in Further Education colleges this is then followed by specialist placements.

A review of post-16 specialist placements was carried out and the findings demonstrated that for a significant proportion of young people in specialist post-16 placements these may not be the right placement for the level of support they need<sup>1</sup>. The review found that 58% of young people were not in the right provision for their year 12 transition and that they should have either have been in a mainstream placement or no longer have an EHC Plan, this increased to 65% at the year 14 transition.

The programme will benefit the older cohort of young people with an EHC Plan (ages 17-25) as it will be focussed on improving the decision making in relation to placements so young people will be in the most suitable placement to meet their needs by increasing, where appropriate, the proportions who are in a mainstream post-16 placement (FE Colleges).

The programme will benefit young people who hold EHC Plans by making mainstream post-16 provision/placements, where appropriate, more accessible via more robust pathways so that all young people with an EHC Plan are educated in the most appropriate placement for their needs and to provide them with maximum opportunities to achieve the best outcomes.

**Disability:**

The scope of the SEND Transformation Programme covers the full breadth of the SEND service, the cohort of children and young people who are known to this service will all have a special education need and/or disability and will benefit from the programme and the improvements to the experience. In Kent, the most prevalent need types are<sup>2</sup>:

- Autism Spectrum Disorder (ASD) primary need for 8.2K children and young people.
- Social Emotional Mental Health (SEMH) primary need for 3.9K children and young people.
- Speech Language and Communication Needs (SLCN) primary need for 3.3K children and young people.

The waiting times for diagnosis in relation to these needs is large:

- ASD: The waiting time for an autism spectrum disorder assessment is now between 36 to 42 months<sup>3</sup>
- SLCN: A national report from NHS Confederation in 2022<sup>4</sup> reported that within the community children and young people's services one of the most significant waits is for speech and language therapy. Nationally the wait list for NHS speech and language therapy for children and young people was 65,600 and is also where there has been the biggest increase in wait lists.

These are extensive waiting times which children, young people and their families find frustrating and find it difficult to access support while a diagnosis is being made. While the programme is unlikely to change this as it is a national issue. The programme will bring some additional benefits to children and young people with these needs as there are several projects across the programme that seek to increase the understanding and awareness of these needs and to make support that is available without a diagnosis more accessible and visible to children, young people, and their families.

One example, in relation to Autism, is the development of the Autism Education Trust Training and Strategy for Kent which is now being delivered. The training and strategy are expected to promote greater inclusion in early years, mainstream and post-16 settings and to raise the awareness and understanding of autism across a range of stakeholders. The strategy is now in place and the training for professionals is now being rolled out and autistic children and young people should overtime, as this become embedded, experience an increase in being included within education settings in a way that makes them feel welcome, supported and that their needs are understood by the adults around them at school.

There is also a number of projects which are focussing on improving the offer of support for children and young people with SLCN and their families through the adoption of the Balanced System® across a range of partners including schools and health so there is a consistency in approach. The Balanced System® aims to introduce and establish a seamless universal, targeted and specialist offer for speech, language, and communication. The introduction of a universal offer will mean that families can access support regardless of whether the children or young person has a confirmed diagnosis and, in some instances, will ensure that support and intervention are able to take place at an earlier stage as there will be less barriers to accessing the universal offer in the first instance. The types of support available at the universal tier include 'Talking Walk Ins' (drop-in sessions for

parents/carers of preschool children for SLCN support). There is a key role for schools in the introduction and embedding of the Balanced System® as they will be invited to enter an accreditation scheme which will enable them to adopt a whole school system of SLCN provision to enable children and young people's needs to be met with and without an EHC Plan based on higher level SLCN outcomes. This will also give greater confidence to parents and carers of the quality and availability of SLCN support in a school or setting.

SEMH, unlike ASD and SLCN, is not a formal diagnosis and as such pupils who are identified as SEMH will have a wide range of needs which overlap with both ASD and SLCN, which have long waiting lists/times. Therefore, SEMH pupils will also benefit to a certain extent from the programme due to the introduction of training and strategies for ASD and SLCN which are outlined above. In Kent, the majority of SEMH pupils attend a mainstream academy, however when you look across ages the number of pupils with SEMH as a primary need attending a special school (maintained and independent) significantly increases from age 11 to 12, secondary transition. At age 11, there are 133 pupils attending a mainstream academy/maintained school, 52 attend a mainstream special school, 28 attend an independent special school and six attend a non-maintained special school. At age 12, the number of pupils with SEMH as primary need attending a maintained special school (88) and independent special school (47) significantly increases while the numbers attending a mainstream academy/maintained school remains relatively stable (134) or a non-maintained special school (5). Other examples of initiatives which the programme is seeking to embed across mainstream primary and secondary schools includes the Whole School Nurture service. This service aims to develop inclusive policies and practices within schools with a focus on mental health and wellbeing. This may be of particular benefit for SEMH pupils and take up within secondary schools particularly may improve the pathways for SEMH pupils and support more pupils with these needs to be included in their local mainstream school communities.

**Sex:**

In Kent, the majority of requests for EHC needs assessments were received for boys (64.67%), on average over a 12-month period, compared to girls (35.32%). Equally following assessment, the same pattern is apparent in terms of EHC Plans issued, of all plans issued over the same 12-month period, 66.7% were issued to boys and 33.32% were issued to girls. Furthermore, when reviewing the proportion of EHC Plans held by gender, the majority of EHC Plans are held by boys (72.05%) compared to girls (27.95%). This is in line with national data which shows that 72.8% of EHC Plans held nationally are by boys and 27.2% of EHC Plans are held by girls.

Arguably, as significantly more boys hold an EHC Plan, this will mean that male children and young people will be more likely to benefit from the programme and it is impact on inclusion, SEND service improvements, consistent decision making and processes.

**Race:**

Over the last 12 months the largest proportion of EHC Needs Assessment Requests are for children and young people who are white (81.42%), while the fewest requests are received for black children and young people (1.55%). Similar patterns in data can be seen regarding those who hold an EHC Plan, the majority of EHC plans are held by children and young people from a white ethnic background (72.98%)

followed by mixed race (2.54%); black (2.14%), Asian (2.02%) and unknown/other (20.43%). The majority of plans being held by children and young people from a white background is in line with national proportions, nationally 72.38% EHC plans are held by children and young people from a white background, however, nationally the proportions of children and young people who hold EHC Plans from backgrounds other than white are larger: Asian (9.96%); Black (6.9%); Mixed Race (6.76%)<sup>5</sup>.

There is a high proportion of EHC Plan holders in Kent whose racial background is unknown or listed as 'any other ethnic background' which may to an extent be part of the reasons that there are much smaller proportions of children and young people with EHC plans from other than white backgrounds. The SEND Transformation Programme is working towards improving processes with the SEND service that will contribute towards and ensure that decisions that are made, particularly in relation to EHC Plans, are made more consistently ensuring EHC Plans are only issued when required. Therefore, over time the consistent decision making the programme is working towards establishing and implementing may have a positive impact resulting in the proportions of children and young people from racial backgrounds, other than white, in Kent who hold an EHC Plan become more in line with those seen nationally with the gap between these proportions reducing.

#### **Carers Responsibilities:**

All projects that are part of the SEND Transformation Programme will contribute to different aims and objectives but have all been set up with the intention of improving the experiences of those who need to access support from the SEND service. A key focus of the programme to enable improvements to the overall experience is on communication. Following the September 2022 reinspection poor communication from the service was consistently reported by parents/carers: "parents repeatedly told inspectors about their experiences, particularly of poor communication. Examples were evidenced where parents and school staff had attempted to call SEN officers forty or fifty times with no response. The same lack of response was reported for email communication<sup>6</sup>".

The programme aims to change this and make vast improvements, especially for parents/carers of children with SEND, firstly through improving communication by implementing new initiatives like the SEND Enquiries Hub to ensure that when parents/carers need to contact the SEND service that a response is given. Furthermore, to ensure that the programme does reflect and account for needs of parents/carers that opportunities for engagement and co-production are built into projects at an early stage. Therefore, by making these changes under the programme parents/carers should have a better experience and be positively impacted by the programme when engaging and communicating with the SEND service going forwards.

#### **Negative Impacts and Mitigating Actions**

The questions in this section help to think through positive and negative impacts for people affected by your activity. Please use the Evidence you have referred to in Section B and explain the data as part of your answer.

#### **19. Negative Impacts and Mitigating actions for Age**

a. **Are there negative impacts for Age?** Answer: Yes/No  
(If yes, please also complete sections b, c, and d).

Yes

#### **b. Details of Negative Impacts for Age**

Over the last 12 months the majority of requests for an EHC Needs Assessment are typically for children aged 3-4 years (24.94%) and aged 10 years (10.42%), following an assessment the age when the majority of children are first issued with an EHC Plan is 3 (13.89%), 4 (11.05%) and 10 (10.42%). Projects within the programme may result in fewer EHC Plans being issued particularly to children and young people whose needs can be met in a mainstream setting by accessing SEN support, this may impact children at these ages disproportionately as these are the ages when the majority are initially requested and subsequently issued.

At the key transition point from primary to secondary education (age 12) there is currently an increase in the number of children with EHC Plans who go onto to specialist placements, and a decrease in those accessing a mainstream placement compared to children who are aged 11. In terms of mainstream settings (LA maintained schools and academies) there are 266 fewer children with EHC Plans accessing this type of provision. On the other hand, the number accessing a specialist placement at age 12 compared to aged 11 increases:

- Increase of 171 children at age 12 accessing a maintained special school than those aged 11.
- Increase of 70 children at age 12 are accessing an independent school that those aged 11.
- Decrease of 232 children at ages 12 accessing a mainstream placement than those aged 11.

The programme aims to decrease the number of children and young people who are placed in inappropriate independent placements, therefore, at this age children may be disproportionately impacted by the programme as this will be a key transitional phase where the SEND service will, via the phase transfer process, look to ensure more children who can be appropriately supported in a mainstream setting are placed in this type of setting. This should mean that in time more children at this age will be placed in a mainstream setting, creating capacity in state funded special schools for children with the most complex needs and reducing the current reliance, that there is in Kent, on independent placements.

While reviews have demonstrated that a significant proportion of young people at post-16 who are in specialist placements could have had their needs better met in a mainstream setting or without an EHC Plan. In the future the programme aims to see an increase in the number of young people accessing their post-16 education via a mainstream FE college, however, this means that at age 17 young people may experience significant changes and greater adaptation to a new setting than at other ages if they have received the majority of their education in specialist settings. Data currently shows that at this age a higher number of young people are placed in a specialist post-16 institution and the numbers gradually decline after this age.

#### **c. Mitigating Actions for Age**

1. To ensure that all decisions that are made in relation to the EHC Needs Assessment, subsequent issuing of an EHC Plan and placements are made consistently in line with decision making protocols and the law.
2. To introduce a robust and well organised procedure for phase transfer, ensuring that all decisions made regarding placements are made consistently and lawfully.

<b>d. Responsible Officer for Mitigating Actions - Age</b>
Interim Assistant Director SEND Processes/Head of Fair Access
<b>20. Negative Impacts and Mitigating actions for Disability</b>
<b>a. Are there negative impacts for Disability? Answer: Yes/No</b> <i>(If yes, please also complete sections b, c, and d).</i>
Yes
<b>b. Details of Negative Impacts for Disability</b>
The programme will only effect children and young people with SEND. Over time as a direct impact of the programme the number of children and young people who will have their needs met through an EHC Plan will decrease and the proportions who are accessing mainstream provision with SEN support will increase. In the first instance this may feel like a negative impact for children and young people with SEND and their parents/carers. However, over time by increasing inclusivity across mainstream settings and providing earlier intervention and support will mean that, even without an EHC Plan, children and young people with SEND will be able to thrive and be well supported in the most appropriate setting.
<b>c. Mitigating Actions for Disability</b>
<ol style="list-style-type: none"> <li>1. To ensure that all decisions that are made in relation to the EHC Needs Assessment, subsequent issuing of an EHC Plan and placements are made consistently in line with decision making protocols and the law.</li> <li>2. To ensure that all settings are utilising SEN support appropriately and at an early stage and that they know what is available and how to access.</li> <li>3. To ensure that annual reviews are held within the statutory timescale of 12 month and that the appropriate and legal decisions are taken as to whether amend, cease, or maintain an EHC Plan (including where decisions are taken to change a placement)</li> <li>4. To ensure that the County Approach to Inclusive Education (CATIE) strategy is successfully implemented and embedded to maximise inclusivity across the mainstream sector, ensuring that these settings are provided with the opportunities, tools, and training to enable this.</li> </ol>
<b>d. Responsible Officer for Mitigating Actions - Disability</b>
Education Officer, Mainstream Inclusion
<b>21. Negative Impacts and Mitigating actions for Sex</b>
<b>a. Are there negative impacts for Sex? Answer: Yes/No</b> <i>(If yes, please also complete sections b, c, and d).</i>
Yes
<b>b. Details of Negative Impacts for Sex</b>
There is a consistent pattern across Kent that the proportion of requests for an EHC needs assessment are made for boys (64.67%) compared to girls (35.32%) since June 2022 through to May 2023. These proportions continue to be reflected in the proportions of girls and boys who are issued with an EHC Plan (66.70 % of boys and 33.32% of girls) and for the overall picture for all children and young people in Kent who have an EHC Plan, 72.05% are male and 27.95% are female (not just those who have received an EHC Plan from June 2022 – May 2023). These figures are in

line with national data that shows that SEND is more prevalent in boys than girls, 72.4% of EHC Plan holders nationally are boys, and there is a greater proportion of boys who are also accessing SEN support (62.8%). Within Kent as there are a greater number of plans issued to boys compared to girls, while this is in line with national trends, there may be a bigger increase in the number of boys (compared to girls) who following the EHC Needs Assessment are not issued with an EHC Plan and directed to other appropriate forms of support (e.g. SEN Support).

**c. Mitigating Actions for Sex**

To ensure that all decisions that are made in relation to the EHC Needs Assessment, subsequent issuing of an EHC Plan and placements are made consistently in line with decision making protocols and the law.

**d. Responsible Officer for Mitigating Actions - Sex**

Interim Assistant Director for SEND Operations

**22. Negative Impacts and Mitigating actions for Gender identity/transgender**

**a. Are there negative impacts for Gender identity/transgender?**

*Answer: Yes/No*

*(If yes, please also complete sections b, c, and d).*

No

**b. Details of Negative Impacts for Gender identity/transgender**

N/A

**c. Mitigating actions for Gender identity/transgender**

N/A

**d. Responsible Officer for Mitigating Actions - Gender identity/transgender**

N/A

**23. Negative Impacts and Mitigating actions for Race**

**a. Are there negative impacts for Race? Answer: Yes/No**

*(If yes, please also complete sections b, c, and d).*

Yes

**b. Details of Negative Impacts for Race**

The majority of requests for an EHC Plan, and subsequently those that are issued, are predominantly for children and young people of a white ethnic background (81.42% of requests and 72.98% of active EHC Plans). This is reflective of national trends which show the majority of EHC Plans are held by children and young people from a white ethnic background (72.98%). Therefore, as this group accounts for the majority of requests and subsequent plans issued, this group may disproportionately (compared to other ethnic groups) begin to see a decline in the number of requests for assessment being agreed and subsequent plans issued.

**c. Mitigating Actions for Race**

To ensure that all decisions that are made in relation to the EHC Needs Assessment, subsequent issuing of an EHC Plan and placements are made consistently in line with decision making protocols and the law.

<b>d. Responsible Officer for Mitigating Actions – Race</b>
Interim Assistant Director for SEND Operations
<b>24. Negative Impacts and Mitigating actions for Religion and belief</b>
<b>a. Are there negative impacts for Religion and Belief? Answer: Yes/No</b> <i>(If yes, please also complete sections b, c, and d).</i>
No
<b>b. Details of Negative Impacts for Religion and belief</b>
N/A
<b>c. Mitigating Actions for Religion and belief</b>
N/A
<b>d. Responsible Officer for Mitigating Actions - Religion and belief</b>
N/A
<b>25. Negative Impacts and Mitigating actions for Sexual Orientation</b>
<b>a. Are there negative impacts for sexual orientation. Answer: Yes/No</b> <i>(If yes, please also complete sections b, c, and d).</i>
No
<b>b. Details of Negative Impacts for Sexual Orientation</b>
N/A
<b>c. Mitigating Actions for Sexual Orientation</b>
N/A
<b>d. Responsible Officer for Mitigating Actions - Sexual Orientation</b>
N/A
<b>26. Negative Impacts and Mitigating actions for Pregnancy and Maternity</b>
<b>a. Are there negative impacts for Pregnancy and Maternity? Answer: Yes/No</b> <i>(If yes, please also complete sections b, c, and d).</i>
No
<b>b. Details of Negative Impacts for Pregnancy and Maternity</b>
N/A
<b>c. Mitigating Actions for Pregnancy and Maternity</b>
N/A
<b>d. Responsible Officer for Mitigating Actions - Pregnancy and Maternity</b>
N/A



<b>27. Negative Impacts and Mitigating actions for marriage and civil partnerships</b>	
a.	<b>Are there negative impacts for Marriage and Civil Partnerships?</b> <i>Answer: Yes/No</i> <i>(If yes, please also complete sections b, c, and d).</i>
	No
b.	<b>Details of Negative Impacts for Marriage and Civil Partnerships</b>
	N/A
c.	<b>Mitigating Actions for Marriage and Civil Partnerships</b>
	N/A
d.	<b>Responsible Officer for Mitigating Actions - Marriage and Civil Partnerships</b>
	N/A
<b>28. Negative Impacts and Mitigating actions for Carer's responsibilities</b>	
a.	<b>Are there negative impacts for Carer's responsibilities?</b> <i>Answer: Yes/No</i> <i>(If yes, please also complete sections b, c, and d).</i>
	Yes
b.	<b>Details of Negative Impacts for Carer's Responsibilities</b>
	<p>The SEND Transformation Programme will lead to a significant number of changes to the operational as well as strategic delivery of the SEND Service. As with all change there can be a decline in service performance as changes come into effect which could mean that initially the experience of parents and carers who interact with the SEND service may be negative in the short term as change takes effect.</p> <p>Parents/carers may also feel that their children may not be getting adequate support and may not agree with the decisions the local authority makes in terms of the EHC Needs Assessment, any decisions taken to not issue an EHC Plan and regarding placements. Projects within the programme may result in fewer EHC Plans being issued particularly to children and young people whose needs can be met in a mainstream setting by accessing SEN support. This could result in an increase in challenge and appeals from parents and carers and subsequently tribunals, which has a negative impact on parents and cares as it takes time away from their families and increases stress and uncertainty when going through the EHC process.</p>
c.	<b>Mitigating Actions for Carer's responsibilities</b>
	<ol style="list-style-type: none"> <li>1. To ensure that all decisions that are made in relation to the EHC Needs Assessment, subsequent issuing of an EHC Plan and placements are made consistently in line with decision making protocols and the law.</li> <li>2. The SEND Communication Strategy is to be implemented to ensure that our communication with parents and carers improves and is transparent so that parents and carers understand the decisions taken, the situation that Kent faces and are aware of alternative support (including how to access this).</li> </ol>

3. To ensure, via the SEND Communication Strategy, that all professionals across the local area are communicating and giving consistent information to parents and carers so that their experience improves and is consistent.
4. To ensure that any changes brought in under the programme are implemented effectively and are closely monitored to ensure that are successfully embedded with any issues or challenges being identified early and rectified. This includes providing SEND staff with the correct training, support, and tools to do their job well.
5. Ensure that there is ongoing engagement with parents and carers throughout the lifetime of the programme so their views and experiences can shape and inform changes that are made under the SEND Transformation Programme.
6. The SEND Enquiries Hub is to act as a first port of call for parent and carers to get answers to the questions they have in a timely way and will ensure that enquiries are resolved as soon as possible.

**d. Responsible Officer for Mitigating Actions - Carer's Responsibilities**

SEND Strategic Development Manager

**EXECUTIVE DECISION**

**From:** Rory Love, Cabinet Member for Education and Skills  
Sarah Hammond, Corporate Director Children, Young People and Education

**To:** Children's, Young People and Education Cabinet Committee – 16 May 2024

**Subject:** School Term Dates for 2025/26, 2026/27, 2027/28

**Classification:** Unrestricted

**Decision Number:** 24/00023

**Key decision:** Significant effect on two or more electoral divisions

**Past Pathway of report:** None

**Future Pathway of Paper:** Cabinet Member decision

**Electoral Division:** All

**Summary:** This report provides details of the consultation that ran from 6<sup>th</sup> March 2024 to 30<sup>th</sup> April 2024 on the proposed School Term Dates for the years 2025/26, 2026/27 and 2027/28 .

**Recommendation:** The Children's, Young People and Education Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Education and Skills on the decision to:

- (1) Agree the school term dates for KCC community and voluntary controlled schools for the school years 2025/26, 2026/27 and 2027/28.

## 1. Introduction

- 1.1 The proposed term dates for 20025/26, 2026/27 and 2027/28 have been developed as it is the responsibility of Kent County Council to set the terms dates for community and voluntary controlled schools.

## 2. Background

- 2.1 KCC is only responsible for setting term dates for community and voluntary controlled schools, while governing bodies of foundation and voluntary aided schools are responsible for setting their own term dates. Academies and free schools also have the freedom to decide their dates and length of terms.
- 2.2 Previously, the Local Government Association (LGA) has coordinated the preparation of a draft standard school year. However, the LGA has

decided to stop coordinating the development of these draft models, because only around 40% of localities are now following the standard school year, as more academies and free schools determine the term dates for their schools.

- 2.3 Over a school year, pupils are required to attend for 190 days/380 sessions. In total, teachers may be required to be available for work on up to 195 days, with the additional days specified by individual schools as non-contact days. Schools may also require teachers to work additional hours before or after school sessions, as an alternative to full non-contact days, provided that any teacher is not required to work in aggregate more than 1,265 hours during a school year. Schools may therefore choose to require teachers to make up the full equivalent of the 5 non-contact days wholly through additional hours or use a mixture of additional hours and non-contact days.
- 2.4 In determining the proposed future school term dates, KCC carried out a full consultation on the proposed dates. The proposed dates are attached as appendix 1.

### **3. Consultation Process and Proposed Dates**

- 3.1 KCC consulted on the proposed term dates for the academic years 2025/26, 2026/27 and 2027/28 from 6<sup>th</sup> March until 30<sup>th</sup> April 2024. The consultation was circulated to all schools via the e-bulletin and with other key stakeholders such as governors (including parent groups), the diocesan bodies, trade unions and neighbouring local authorities. The general public was also encouraged to participate by using KCC Facebook and Twitter channels. The social media posts were seen by 19,337 people at least once, with the posts being displayed on someone's screen 156,942 times. The posts generated 14,310 clicks through to the consultation webpage.
- 3.2 A link to the consultation was sent on 12 March to 6,846 Let's Talk Kent users. This went to those who wished to be kept informed about consultation or engagement activities on the following topics:
- Children and families
  - Young people
  - Education and schools
- 3.3 The consultation and Equalities Impact Assessment can be found by following this link:

**[School Term Dates for 2025-26, 2026-27 and 2027-28 | Let's talk Kent](#)**

- 3.4 The consultation webpage was visited 3563 times and 446 responses to the consultation were received. A breakdown of responses is attached as Appendix 2. Of the responses received for the proposed dates for 2025/26 134 respondents agreed, 280 disagreed for varying reasons as outlined in Appendix 1 and 32 left no comment. For 2026/27 146 agreed to the proposal, 252 disagreed for varying reasons and 48 left no comment. For 2027/28 145 respondents agreed with the proposal, 247 disagreed for varying reasons and 54 left no comment.
- 3.5 Everyone who responded to the consultation was asked to provide a description of the capacity under which they were providing a response.

Appendix 3 to this report provides a breakdown showing the numbers of respondents who agreed, disagreed or made no comment in respect of the proposed terms dates for each of the three years 2025/26, 2026/27 and 2027/28. The responses are broken down further by each type of respondent.

- 3.6 Appendix 3 to this report, provides examples of responses relating to the most common themes, for both those who agreed with the proposals and those who objected.
- 3.7 Across all three years, the most common objection was that the Summer holiday was too long. This was often coupled with a request for longer half terms with the most popular request of that nature being for a two week October half term. However, other respondents also asked for longer holiday periods either at Christmas or the Spring or Summer half terms.
- 3.8 As there was no overall agreement as to which holidays should be adjusted, it is recommended that the holidays remain as proposed in the consultation.
- 3.9 Another common objection, which primarily related to 2025/26 but also to the other two years, concerned the length of the Autumn term dates where a number of respondents felt terms 1 & 2 were too long. Another related objection was that some respondents felt the start of the academic year is too early, as parents should be able to benefit from cheaper holidays. and staggering term dates.
- 3.10 Concerns regarding the lengths of terms and the impact parents feel that will have on attendance, mirror comments made in respect of the now agreed term dates for 2024/25. As stated in the report presented to Cabinet Committee for the 2024/25 term dates, the government expects pupils to attend school regularly to benefit from their education. Missing out on lessons leaves children vulnerable to falling behind and children with poor attendance tend to achieve less in both primary and secondary school. The government expectation is the schools and local authorities promote good attendance and reduce absence, and by having longer terms it encourages a consistent routine. Therefore, the proposed dates will remain unchanged.
- 3.11 The LGA recommendation is that schools should return to school as close to the 1st of September as possible. Therefore, Kent has proposed that term 1 begins on 1<sup>st</sup> September for each of the three years, in line with this recommendation. This time, KCC is out to consultation earlier than a number of our neighbouring authorities but, in the past, the proposal of starting on or as close to 1<sup>st</sup> September has been in line with authorities such as, London Borough of Bexley, London Borough of Greenwich and Surrey.
- 3.12 On the issue of parents being able to access cheaper holidays, another suggestion was that the holiday dates should not align with other local authorities or schools. This may then lead to less people taking holidays at the same time and lead to a reduction in the cost of holidays.
- 3.13 That suggestion does not align with Kent's position or with the response received from a local bus operator (see last point made by Nu Venture):

*With a contracted service to just one school, we price based on 190 operational days, but only if the school always starts and finishes at the same times daily (so no early Friday finish, for example). This means we can schedule the bus and driver for the same 'infill' work every day. Malling School at Borough Green is a good example of this, where our 3 routes are scheduled identically on every day of the week, arriving at and departing from the school at similar times Mondays through to Fridays.*

*With a contracted service serving multiple schools, we price based on 205 operational days as school term start and end dates are not co-ordinated between schools and some ignore the KCC advice altogether, thus the authority are paying a higher contract price. Tonbridge is an extreme example and a particularly glaring example of 'poor value for KCC' as commercial routes are less comprehensive and more infrequent than some larger towns in Kent, thus special transport provision applies to more students. Not only do term start/end dates vary, but we have to contend with varying start/finish times for the schools, with some schools having different times depending on the day of the week.*

*If just one school opens when all others are closed, school day services need to continue to be provided even though numbers may be down by 80%*

*If Kent's holiday dates do not always coincide with dates from other authorities, parents with a child in one authority's area and another in another authority's area often draw this to attention. A number of bus services span Kent's boundary and a school day service has to remain in place on both sides of the boundary even though one side may be on holiday.*

- 3.14 KCC has a statutory duty to set term dates for community and voluntary controlled schools, while governing bodies of foundation and voluntary aided schools are responsible for setting their own term dates. By law, academies and free schools also have the freedom to decide their dates and length of terms. When setting the school term dates for community and voluntary controlled schools, Kent not only consults with neighbouring authorities to promote the proposed dates but also reviews other authority websites to check if Kent's proposed dates broadly align. For those authorities that have consulted on future term dates, Kent is in line with Hampshire and for 2026, Kent's proposed dates start and finish the year 1 day earlier, in comparison to some London Boroughs. Therefore, there appear to be no significant discrepancies.
- 3.15 Responses to the consultation were broadly consistent across all respondent types based on their answers to the equality and diversity questions. There were no differences of note between how different people responded about the proposed school terms dates.

#### **4. Securing Kent's Future**

- 4.1 The 'Securing Kent's Future' strategy outlines the measures that KCC intend to take to ensure that Kent remains financially stable, now and long into the future. It describes the statutory priorities, one of which being the statutory duty to set term dates for community and voluntary controlled schools. This

duty applies to Special Educational Needs (SEN) provision, as well as mainstream settings where appropriate.

- 4.2 This proposal is necessary for KCC to continue to deliver the statutory duty, in a cost-effective way, in line with the guidelines described in the Securing Kent's Future strategy. It will help to maintain KCC's strategic role in supporting schools in Kent to deliver accessible, high quality education provision for all families, through ensuring schools can effectively plan their operations with certainty for the next three years and support parents in maximising pupil attendance.

## 5. Financial Implications

- 5.1 There are no direct cost implications arising from the decision on the school calendar. However, if individual foundation, voluntary aided schools, academies or free schools determine a different pattern of term dates, they may incur additional costs in relation to home to school transport, as the authority passes any additional costs on to the schools concerned.

## 6. Legal implication

- 6.1 If we do not determine the term dates for KCC community and voluntary controlled schools, the LA will not be meeting its statutory obligation.

## 7. Equalities Impact Assessment

- 7.1 The EqIA has been reviewed again following the consultation and no updates were required.

## 8. Conclusion

- 8.1 Consequently, although the consultation received more comments disagreeing with the proposed dates, when the responses were analysed there were varying reasons for the disagreement. It is recommended that as 134 or more people supported the proposed dates for each of the three years, Members are asked to agree the recommendation set out below.

### Recommendation(s)

**Recommendation:**

The Children's, Young People and Education Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Education and Skills on the decision to:

- (1) Agree the school term dates for KCC community and voluntary controlled schools for the school years 2025/26, 2026/27, 2027/28

## Background Documents

KCC Consultation – School Term dates 2025/26, 2026/27, 2027/28 and Equality Impact Assessment

## Contact details

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## Appendix 1 – Proposed Terms Dates for 2025/26, 2026/27 and 2027/28

Determined School Term dates for 2025-26

Standard School Year 2025/26 based on 6 terms with additional INSET days:

Term	School Days	Start Date	End Date	Bank holidays which fall within the term
1	35 days	01/09/25	17/10/25	
2	40 days	27/10/25	19/12/25	
3	30 days	05/01/26	13/02/26	
4	29 days	23/02/26	02/04/26	
5	24 days	20/04/26	22/05/26	4/05/2026
6	37days	01/06/26	21/07/26	

INSET/ Non-contact days for teachers:

Over a school year, pupils are required to attend for 190 days/380 sessions. In total, teachers may be required to be available for work on up to 195 days, with the additional days specified by individual schools as non-contact days. Schools may also require teachers to work additional hours before or after school sessions, as an alternative to full non-contact days, provided that any teacher is not required to work in aggregate more than 1,265 hours during a school year. Schools may therefore choose to require teachers to make up the full equivalent of the 5 non-contact days wholly through additional hours or use a mixture of additional hours and non-contact days.

Bank Holidays

25 August 2025 - August Bank Holiday  
25 December 2025 - Christmas Day  
26 December 2025 - Boxing Day  
1 January 2026 - New Year's Day  
3 April 2026 - Good Friday  
6 April 2026 - Easter Monday  
4 May 2026 - May Day  
25 May 2026 - Late May Bank Holiday  
31 August 2026 - August Bank Holiday

August 2025						
M	T	W	T	F	S	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

September 2025						
M	T	W	T	F	S	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

October 2025						
M	T	W	T	F	S	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

November 2025						
M	T	W	T	F	S	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

December 2025						
M	T	W	T	F	S	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

January 2026						
M	T	W	T	F	S	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

February 2026						
M	T	W	T	F	S	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

March 2026						
M	T	W	T	F	S	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	26
30	31					

April 2026						
M	T	W	T	F	S	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

May 2026						
M	T	W	T	F	S	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

June 2026						
M	T	W	T	F	S	S
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8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

July 2026						
M	T	W	T	F	S	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		




August 2026						
M	T	W	T	F	S	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

**INSET/ Non-contact days for teachers:**  
 Over a school year, pupils are required to attend for 190 days/380 sessions. In total, teachers may be required to be available for work on up to 195 days, with the additional days specified by individual schools as non-contact days. Schools may also require teachers to work additional hours before or after school sessions, as an alternative to full non-contact days, provided that any teacher is not required to work in aggregate more than 1,265 hours during a school year. Schools may therefore choose to require teachers to make up the full equivalent of the 5 non-contact days wholly through additional hours, or use a mixture of additional hours and non-contact days.

**2025/26**

Standard School  
 Year based on  
 6 terms with  
 additional INSET  
 days

- Term 1 35 days 01/09/25 - 17/10/26**
- Term 2 40 days 27/11/25 - 19/12/26**
- Term 3 30 days 05/01/26 - 13/02/26**
- Term 4 29 days 23/02/26 - 2/04/26**
- Term 5 24 days 20/04/26 - 22/05/26**
- Term 6 37 days 01/06/26 - 21/07/26**

	School day
	School holiday
	Bank holiday

Standard School Year 2026/27 based on 6 terms with additional INSET days:

Term	School Days	Start Date	End Date	Bank holidays which fall within the term
1	39 days	1/09/26	23/10/26	
2	35 days	2/11/26	18/12/26	
3	30 days	4/01/27	12/02/27	
4	24 days	22/02/27	25/03/27	
5	34 days	12/04/27	28/05/27	3/05/2026
6	33 days	7/06/27	21/07/27	

INSET/ Non-contact days for teachers:

Over a school year, pupils are required to attend for 190 days/380 sessions. In total, teachers may be required to be available for work on up to 195 days, with the additional days specified by individual schools as non-contact days. Schools may also require teachers to work additional hours before or after school sessions, as an alternative to full non-contact days, provided that any teacher is not required to work in aggregate more than 1,265 hours during a school year. Schools may therefore choose to require teachers to make up the full equivalent of the 5 non-contact days wholly through additional hours or use a mixture of additional hours and non-contact days.

Bank Holidays

- 31 August 2026 - August Bank Holiday
- 25 December 2026 - Christmas Day
- 28 December 2026 -in lieu Boxing Day being on a Saturday
- 1 January 2027 - New Year's Day
- 26 March 2027 - Good Friday
- 29 March 2027 - Easter Monday
- 3 May 2027 - May Day
- 31 May 2027 - Late May Bank Holiday
- 30 August 2027 - August Bank Holiday

August 2026						
M	T	W	T	F	S	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

September 2026						
M	T	W	T	F	S	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

October 2026						
M	T	W	T	F	S	S
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5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

November 2026						
M	T	W	T	F	S	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

December 2026						
M	T	W	T	F	S	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

January 2027						
M	T	W	T	F	S	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

February 2027						
M	T	W	T	F	S	S
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8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28

March 2027						
M	T	W	T	F	S	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

April 2027						
M	T	W	T	F	S	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

May 2027						
M	T	W	T	F	S	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

June 2027						
M	T	W	T	F	S	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

July 2027						
M	T	W	T	F	S	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

August 2027						
M	T	W	T	F	S	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

**INSET/ Non-contact days for teachers:**

Over a school year, pupils are required to attend for 190 days/380 sessions. In total, teachers may be required to be available for work on up to 195 days, with the additional days specified by individual schools as non-contact days. Schools may also require teachers to work additional hours before or after school sessions, as an alternative to full non-contact days, provided that any teacher is not required to work in aggregate more than 1,265 hours during a school year. Schools may therefore choose to require teachers to make up the full equivalent of the 5 non-contact days wholly through additional hours, or use a mixture of additional hours and non-contact days.

- School day
- School holiday
- Bank holiday

**2026/27**

Standard School Year based on 6 terms with additional INSET days

- Term 1 39 days 01/09/26 - 23/10/26**
- Term 2 35 days 02/11/26 - 18/12/26**
- Term 3 30 days 04/01/27 - 12/02/27**
- Term 4 24 days 22/02/27 - 25/03/27**
- Term 5 34 days 12/04/27 - 28/05/27**
- Term 6 33 days 07/06/27 - 21/07/27**

## Determined School Term dates for 2027-28

Standard School Year 2027/28 based on 6 terms with additional INSET days:

Term	School Days	Start Date	End Date	Bank holidays which fall within the term
1	38 days	01/09/27	22/10/27	
2	35 days	01/11/27	17/12/27	
3	29 days	04/01/28	11/02/28	
4	30 days	21/02/28	31/03/28	
5	28 days	18/04/28	26/05/28	01/05/2028
6	35 days	05/06/28	21/07/28	

### INSET/ Non-contact days for teachers:

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### Bank Holidays

30 August 2027 - August Bank Holiday  
27 December 2027 – in lieu of Christmas Day  
28 December 2027 – in lieu of Boxing Day  
3 January 2028 - New Year's Day  
14 April 2028 - Good Friday  
17 April 2028 - Easter Monday  
1 May 2028 - May Day  
29 May 2028 - Late May Bank Holiday  
28 August 2028 - August Bank Holiday

August 2027						
M	T	W	T	F	S	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

September 2027						
M	T	W	T	F	S	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

October 2027						
M	T	W	T	F	S	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

November 2027						
M	T	W	T	F	S	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

December 2027						
M	T	W	T	F	S	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

January 2028						
M	T	W	T	F	S	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

February 2028						
M	T	W	T	F	S	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29					

March 2028						
M	T	W	T	F	S	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

April 2028						
M	T	W	T	F	S	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

May 2028						
M	T	W	T	F	S	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

June 2028						
M	T	W	T	F	S	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

July 2028						
M	T	W	T	F	S	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

August 2028						
M	T	W	T	F	S	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

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<span style="display: inline-block; width: 15px; height: 15px; background-color: black; border: 1px solid black;"></span> School day
<span style="display: inline-block; width: 15px; height: 15px; background-color: lightgrey; border: 1px solid black;"></span> School holiday
<span style="display: inline-block; width: 15px; height: 15px; background-color: yellow; border: 1px solid black;"></span> Bank holiday

### 2027/28

Standard School  
 Year based on  
 6 terms with  
 additional INSET  
 days

- Term 1 38 days 01/09/27 - 22/10/27**
- Term 2 35 days 01/11/27 - 17/12/27**
- Term 3 29 days 04/01/28 - 11/02/28**
- Term 4 30 days 21/02/28 - 31/03/28**
- Term 5 28 days 18/04/28 - 26/05/28**
- Term 6 35 days 05/06/28 - 21/07/28**

## Appendix 2 - Breakdown of Responses

Types of Respondent	Type identified under 'other'	Totals of Types of Respondents	Proposed term dates for 2025-26			Proposed term dates for 2026-27			Proposed term dates for 2027-28		
			Yes	No	no comment	Yes	No	no comment	Yes	No	no comment
Parent		349	106	218	25	113	197	39	114	195	40
Teacher / Teaching Assistant		49	11	34	4	10	35	4	10	32	7
Early Years Setting		9	2	5	2	3	3	3	3	3	3
Grandparent		6	4	2	0	4	2	0	4	2	0
Carer		4	1	2	1	2	1	1	1	1	2
Other local authority		4	1	3	0	2	2	0	2	2	0
School Governor		3	1	2	0	2	1	0	2	1	0
Headteacher		5	1	4	0	2	3	0	1	3	1
Retired teacher	Other	2	0	2	0	0	1	1	0	1	1
Nanny	Other	1	1	0	0	1	0	0	1	0	0
SEN charity	Other	1	1	0	0	1	0	0	1	0	0
School Office Manager	Other	1	0	1	0	0	1	0	0	1	0
School employee	Other	1	0	1	0	0	1	0	0	1	0
Parent and teacher	Other	1	0	1	0	1	0	0	1	0	0
Legal guardian	Other	1	0	1	0	0	1	0	0	1	0
School support staff	Other	1	1	0	0	1	0	0	1	0	0
Partner of a teacher	Other	1	0	1	0	0	1	0	0	1	0
Home Educator	Other	1	1	0	0	0	1	0	0	1	0
Employee	Other	1	1	0	0	1	0	0	1	0	0
Admin	Other	1	1	0	0	1	0	0	1	0	0
Work in a school but not a teacher	Other	1	0	1	0	0	1	0	0	1	0
Office manager / parent	Other	1	0	1	0	0	1	0	0	1	0
Member of school Senior Leadership Team	Other	1	0	1	0	1	0	0	1	0	0
School Transport	Other	1	1	0	0	1	0	0	1	0	0
<b>Totals</b>		<b>446</b>	<b>134</b>	<b>280</b>	<b>32</b>	<b>146</b>	<b>252</b>	<b>48</b>	<b>145</b>	<b>247</b>	<b>54</b>

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Appendix 3 – Examples of responses relating to the most commonly raised issues

In Favour
I can see no problem with the date changes
They look fine
Can't see any change
In keeping with the usual practices in the area. Happy with the dates.
Happy with the even spread of dates. Like the summer break which means I'll be able to have a break and it not affect funding etc
I think they're fine. The first and last terms are long but I don't think there's much of a way around it. As a general, I always hope for some INSET days at the start of September and January and the dates seems to allow opportunity for that.
They look similar to 24-25
The dates set are sensible, offering a balanced term length while also respecting the major bank holidays that fall within the school year.
These look fine. Leaving enough time before Christmas and after New Year. End and start of the school year is sensible as well.
They are the same dates each year, I'm not sure if there is anything to consult on unless KCC are planning on changing the guidelines.
I would like the summer holiday to remain the length it is. Children with families who live in other areas of the country are already starved of time with their loved ones due to mismatched term dates the summer holiday is the only one they can guarantee to see family. Shortening it would take that away and would leave us with no choice whatsoever than remove them from school in order to visit family.

Objections
We should have a shorter summer holidays of four weeks and the extra weeks can be in February and October half term to make them two weeks off. Summer holidays are very expensive and having the extra holidays in February and October will mean cheaper holidays so less time people taking off during term time which will be less disruption to everyone else in the class when someone is taking their child out for a holiday during term time
6 weeks holidays over the summer is far too long - this should be reduced to 4 with other LA staggering dates
Summer holidays are too long especially for working parents.
Bring back 6 full weeks holidays. Having a few days at the beginning of the summer and a few days at the end making up the not even 6 weeks means there are less full weeks for people to go away. The prices of holidays have already become unaffordable without lessening the days families can go and many families have to leave before the last days of

<p>term as they have no choice. Then all the complaints of the lower socio economic families not valuing education and society looks down on them! Its better to make the holidays full weeks esp if we dont get the 6 weeks anymore. Give parents a chance and save your attendance statistics!</p>
<p>More needs to be done to stagger school holidays to avoid punitive costs of taking a break</p>
<p>It would be very helpful for parents if the term dates provided some differentiation from the rest of the UK so that if parents wanted to go on holiday they didn't have to make a choice between removing a child from school and paying a fine or paying 3-4 times the price for a holiday. It doesn't have to be all holidays but perhaps take one week from summer and add it to the February/May/October half term for instance.</p>
<p>I would prefer a longer October half term and shorter summer break.</p>
<p>Alter the year to provide a 2 week October half term. Children will benefit as they are exhausted after returning to school from the summer break, and it will enable a period where parents can choose to holiday without taking children out of school but will get cheaper trips.</p>
<p>We would like two weeks half terms in the October and February breaks</p>
<p>I believe it is an out dated term date structure. 6 weeks off over the summer holidays is too long for children to readjust - particularly those with SEN in mainstream schools. 2 weeks for October half term would be a start and have 5 weeks off for summer holidays. Especially as terms 1 and 2 are very long and difficult for children, the extra break would help their resilience in the build up to Christmas when they are significantly more tired and their wellbeing is impacted.</p>
<p>The summer holiday is long and children would benefit from this being slightly shorter with a week given to October or May half term - evidence shows that this would reduce regression in children's learning.</p>
<p>Would prefer for the other holidays to be longer and the July/August holidays to be a couple of weeks shorter.</p>
<p>We have again been ignored, we want an extra week in May/June and not October</p>
<p>Summer holidays should be reduced and all other half term holidays increased to a 2 week break</p>
<p>Christmas needs an extra couple days. Just on the end of the holiday, so return on 3rd or 4th. My children returned to school on the 2nd this year and we all struggled with the quick return after the festive period. My children struggled with the first week back to school because they hadn't had enough time to rest because of the Xmas excitement too</p>
<p>Not enough time at Xmas and too long in summer</p>
<p>Prefer a 4 week summer holiday and a 3 week christmas break</p>
<p>Term 1, 2 and 6 are longer than others. To have more equal terms would help with fatigue of pupils particularly when they first return to school following a long summer break.</p>
<p>Comment on the holiday between term 1 and 2.</p>

Term 2 is a very tiring term particularly for young children with cold and dark weather as well as the excitement of Christmas looming. Making the holiday between terms 1 and 2 one week later meaning 40 days for term 1 and 35 days for term 2 may increase the learning experiences for the children.

Term 2 is too long. 40 days.  
Lots of schools now prefer a two week October half term

The first and fifth terms seem too short. I think it would be better having Term 1 as 40 days, and Term 2 as 35. Also, I think Term 5 should be shifted to 29 days, and Term 6 to 32 days.

The start of the academic year on Sept 1st is too early. 4/5th or even later would be better.

Would personally prefer September term to start a week later (or at least a couple of days later) and October half term to be a week later

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# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

## DECISION TO BE TAKEN BY:

Rory Love, Cabinet Member for Education and Skills

## DECISION NO:

24/00023

**For publication** [Do not include information which is exempt from publication under schedule 12a of the Local Government Act 1972]

### Key decision: YES

*Key decision criteria. The decision will:*

- a) *be significant in terms of its effects on a significant proportion of the community living or working within two or more electoral divisions – which will include those decisions that involve:*
- *the adoption or significant amendment of major strategies or frameworks;*
  - *significant service developments, significant service reductions, or significant changes in the way that services are delivered, whether County-wide or in a particular locality.*

### Subject Matter / Title of Decision

School Term Dates for 2025/26, 2026/27 and 2027/28

### Decision:

As Cabinet Member for Education and Skills, I agree to:

- (1) Agree the school term dates for KCC community and voluntary controlled schools for the school years 2025/26, 2026/27 and 2027/28

### Reason(s) for decision:

#### 1. Background

KCC is responsible for setting term dates for community and voluntary controlled schools, while governing bodies of foundation and voluntary aided schools are responsible for setting their own term dates. Academies and free schools also have the freedom to decide their dates and length of terms.

Previously, the Local Government Association (LGA) has coordinated the preparation of a draft standard school year. However, the LGA has decided to stop coordinating the development of these draft models, because only around 40% of localities are now following the standard school year, as more academies and free schools determine the term dates for their schools.

Over a school year, pupils are required to attend for 190 days/380 sessions. In total, teachers may be required to be available for work on up to 195 days, with the additional days specified by individual schools as non-contact days. Schools may also require teachers to work additional hours before or after school sessions, as an alternative to full non-contact days, provided that any teacher is not required to work in aggregate more than 1,265 hours during a school year. Schools may therefore choose to require teachers to make up the full equivalent of the 5 non-contact days wholly through additional hours or use a mixture of additional hours and non-contact days.

In determining the proposed future school term dates, KCC carried out a full consultation on the proposed dates. The proposed dates are attached as appendix 1.

## 2. Securing Kent's Future

The 'Securing Kent's Future' strategy outlines the measures that KCC intend to take to ensure that Kent remains financially stable, now and long into the future. It describes the statutory priorities, one of which being the statutory duty to set term dates for community and voluntary controlled schools. This duty applies to Special Educational Needs (SEN) provision, as well as mainstream settings where appropriate.

This proposal is necessary for KCC to continue to deliver the statutory duty, in a cost-effective way, in line with the guidelines described in the Securing Kent's Future strategy. It will help to maintain KCC's strategic role in supporting schools in Kent to deliver accessible, high quality education provision for all families, through ensuring schools can effectively plan their operations with certainty for the next three years and support parents in maximising pupil attendance.

## 3. Consultation Process and Proposed Dates

KCC consulted on the proposed term dates for the academic years 2025/26, 2026/27 and 2027/28 from 6<sup>th</sup> March until 30<sup>th</sup> April 2024. The consultation was circulated to all schools via the e-bulletin and with other key stakeholders such as governors (including parent groups), the diocesan bodies, trade unions and neighbouring local authorities. The general public was also encouraged to participate by using KCC Facebook and Twitter channels. The social media posts were seen by 19,337 people at least once, with the posts being displayed on someone's screen 156,942 times. The posts generated 14,310 clicks through to the consultation webpage.

A link to the consultation was sent on 12 March to 6,846 Let's Talk Kent users. This went to those who wished to be kept informed about consultation or engagement activities on the following topics:

- Children and families
- Young people
- Education and schools

The consultation and Equalities Impact Assessment can be found by following this link:

[School Term Dates for 2025-26, 2026-27 and 2027-28 | Let's talk Kent](#)

The consultation webpage was visited 3563 times and 446 responses to the consultation were received. A breakdown of responses is attached as Appendix 2. Of the responses received for the proposed dates for 2025/26 134 respondents agreed, 280 disagreed for varying reasons as outlined in Appendix 1 and 32 left no comment. For 2026/27 146 agreed to the proposal, 252 disagreed for varying reasons and 48 left no comment. For 2027/28 145 respondents agreed with the proposal, 247 disagreed for varying reasons and 54 left no comment.

Responses to the consultation on the proposed term dates for 2025/26, 2026/27 and 2027/28, were received from a wide range of individuals or organisations including parents, carers, headteachers and teachers; school governors, early years settings, other local authority, grandparents, local businesses and employers.

Consequently, although the consultation received more comments disagreeing with the proposed dates, when the responses were analysed there were varying reasons for the disagreement. It is recommended that as 134 or more people supported the proposed dates for each of the three years, the term dates that were set out in the consultation are adopted.

## 3. Equalities Impact Assessment

The EqIA has been reviewed again following the consultation and no updates were required.

**4. Financial Implications**

There are no direct cost implications arising from the decision on the school calendar. However, if individual foundation, voluntary aided schools, academies or free schools determine a different pattern of term dates, they may incur additional costs in relation to home to school transport, as the authority passes any additional costs on to the schools concerned.

**5. Legal implication**

If we do not determine the term dates for KCC community and voluntary controlled schools, the LA will not be meeting its statutory obligation.

**Cabinet Committee recommendations and other consultation:**

The Children’s and Young People and Education Cabinet Committee considered the decision on 16 May 2024.

**Any alternatives considered and rejected:**

Details of consultation responses including the main objections and suggestions for possible changes were presented to the Children’s Young People and Education Cabinet Committee on 16 May 2024.

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:** None

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signed

.....  
date

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## EQIA Submission – ID Number

### Section A

**EQIA Title**

Community and Voluntary Controlled School Term Dates 2025-28

**Responsible Officer**

Ian Watts - CY EPA

### Type of Activity

**Service Change**

No

**Service Redesign**

No

**Project/Programme**

No

**Commissioning/Procurement**

No

**Strategy/Policy**

No

**Details of other Service Activity**

Setting the term dates for community and voluntary controlled schools, by the local authority (LA)

### Accountability and Responsibility

**Directorate**

Children Young People and Education

**Responsible Service**

Educations and SEN

**Responsible Head of Service**

Ian Watts - CY EPA

**Responsible Director**

Christine McInnes - CY EPA

### Aims and Objectives

Term dates and holidays, in England, are set:

- for community and voluntary controlled schools, by the local authority (LA)
- for foundation, voluntary aided schools, academies and free schools by the governing body.

The Education (School Day and School Year) (England) Regulations 1999 (SI 1999 No. 3181) require schools to have at least 380 half-day sessions (190 days) in each school year, beginning with the first term to start after July. This is consistent with the 195 days a year required by a teacher's statutory conditions of service: the additional five days are for in-service training.

The government's policies to promote academies and free schools will mean that increasingly school governing bodies will be determining the school term dates for their schools.

The proposed calendar will be considered by Children's, Young People and Education Cabinet Committee and following this the responsible Cabinet Member will take the final decision. Following the consultation and approval the agreed school term dates calendar for 2025-28 will be published.

The term dates aim to ensure that the maximum number of children and young people of statutory school age are enabled to attend education provision on a full-time basis by providing term dates for all Kent maintained schools to provide a co-ordinated service.

One of our key challenges in Kent is to improve attendance to at least that of the national average. To support this priority KCC consults with schools and other parties including VSK, Kent Youth Council, children centres, parents and carers, unions, religious groups and other interested parties to provide a co-ordinated and agreed set of future term dates for all Kent's family of schools.

Early consultation on the term dates also supports the Councils 'Securing Kent's Future' Objective 1: Bringing the budget back into balance, by allowing our transport colleagues to arrange transport for the term dates in advance.

## Section B – Evidence

**Do you have data related to the protected groups of the people impacted by this activity?**

Yes

**It is possible to get the data in a timely and cost effective way?**

Yes

**Is there national evidence/data that you can use?**

Yes

**Have you consulted with stakeholders?**

Yes

**Who have you involved, consulted and engaged with?**

Yes, conversations have been ongoing with other LAs to ensure that the term dates are co-ordinated prior to going out to consultation.

**Has there been a previous Equality Analysis (EQIA) in the last 3 years?**

Yes

**Do you have evidence that can help you understand the potential impact of your activity?**

Yes

## Section C – Impact

**Who may be impacted by the activity?**

**Service Users/clients**

Service users/clients

**Staff**

Staff/Volunteers

**Residents/Communities/Citizens**

Residents/communities/citizens

**Are there any positive impacts for all or any of the protected groups as a result of the activity that you are doing?**

Yes

**Details of Positive Impacts**

The positive impacts to setting the term dates for 2025-28 are that parents and carers will have the opportunity to plan to ensure that their children do not miss school, as they will be well advised of the term dates.

Early setting of term dates will allow good management of school transport to ensure that school children reach their destination on time and help parents with learning disabilities / disabled parents who have support in caring for young people plan their days accordingly. This will positively impact on children with disabilities or SEN and their families, who sometimes require consistent travel arrangements, longer travel time, specially adapted vehicles and/or an escort. The consultation will be circulated to all schools including special schools. Following the close of the consultation a further assessment will take place.

Historically and to date, the term dates are based around the Christian calendar (Christmas, Easter, Whitsun) this impacts positively as most of the school holidays include bank holidays which enables families to spend time together to worship and celebrate special occasions.

As many festivals for other religions are held over the Summer holiday period respondents agreed that the longer summer break allows communities to come together to worship and celebrate the festivities.

### **Negative impacts and Mitigating Actions**

#### **19. Negative Impacts and Mitigating actions for Age**

##### **Are there negative impacts for age?**

No

##### **Details of negative impacts for Age**

Not Applicable

##### **Mitigating Actions for Age**

Not Applicable

##### **Responsible Officer for Mitigating Actions – Age**

Not Applicable

#### **20. Negative impacts and Mitigating actions for Disability**

##### **Are there negative impacts for Disability?**

No

##### **Details of Negative Impacts for Disability**

Not Applicable

##### **Mitigating actions for Disability**

Not Applicable

##### **Responsible Officer for Disability**

Not Applicable

#### **21. Negative Impacts and Mitigating actions for Sex**

##### **Are there negative impacts for Sex**

No

##### **Details of negative impacts for Sex**

Not Applicable

##### **Mitigating actions for Sex**

Not Applicable

##### **Responsible Officer for Sex**

Not Applicable

#### **22. Negative Impacts and Mitigating actions for Gender identity/transgender**

##### **Are there negative impacts for Gender identity/transgender**

No

##### **Negative impacts for Gender identity/transgender**

Not Applicable

##### **Mitigating actions for Gender identity/transgender**

Not Applicable

##### **Responsible Officer for mitigating actions for Gender identity/transgender**

Not Applicable

#### **23. Negative impacts and Mitigating actions for Race**

##### **Are there negative impacts for Race**

No

##### **Negative impacts for Race**

Not Applicable

##### **Mitigating actions for Race**

Not Applicable

##### **Responsible Officer for mitigating actions for Race**

Not Applicable

<b>24. Negative impacts and Mitigating actions for Religion and belief</b>
<b>Are there negative impacts for Religion and belief</b>
No
<b>Negative impacts for Religion and belief</b>
Not Applicable
<b>Mitigating actions for Religion and belief</b>
Not Applicable
<b>Responsible Officer for mitigating actions for Religion and Belief</b>
Not Applicable
<b>25. Negative impacts and Mitigating actions for Sexual Orientation</b>
<b>Are there negative impacts for Sexual Orientation</b>
No
<b>Negative impacts for Sexual Orientation</b>
Not Applicable
<b>Mitigating actions for Sexual Orientation</b>
Not Applicable
<b>Responsible Officer for mitigating actions for Sexual Orientation</b>
Not Applicable
<b>26. Negative impacts and Mitigating actions for Pregnancy and Maternity</b>
<b>Are there negative impacts for Pregnancy and Maternity</b>
No
<b>Negative impacts for Pregnancy and Maternity</b>
Not Applicable
<b>Mitigating actions for Pregnancy and Maternity</b>
Not Applicable
<b>Responsible Officer for mitigating actions for Pregnancy and Maternity</b>
Not Applicable
<b>27. Negative impacts and Mitigating actions for Marriage and Civil Partnerships</b>
<b>Are there negative impacts for Marriage and Civil Partnerships</b>
No
<b>Negative impacts for Marriage and Civil Partnerships</b>
Not Applicable
<b>Mitigating actions for Marriage and Civil Partnerships</b>
Not Applicable
<b>Responsible Officer for Marriage and Civil Partnerships</b>
Not Applicable
<b>28. Negative impacts and Mitigating actions for Carer's responsibilities</b>
<b>Are there negative impacts for Carer's responsibilities</b>
No
<b>Negative impacts for Carer's responsibilities</b>
Not Applicable
<b>Mitigating actions for Carer's responsibilities</b>
Not Applicable
<b>Responsible Officer for Carer's responsibilities</b>
Not Applicable

**EXECUTIVE DECISION**

**From:** Rory Love Cabinet Member for Education and Skills  
 Sarah Hammond, Corporate Director of Children, Young People and Education

**To:** Children's, Young People and Education Cabinet Committee – 16 May 2024

**Subject:** Expansion of Northfleet Technology College, Colyer Rd, Northfleet, Gravesend, DA11 8BG

Decision Number: 24/00025

Key decision Expenditure of over 1m

**Classification:** Unrestricted

**Past Pathway of report:** None

**Future Pathway of report:** Cabinet Member Decision

**Electoral Division:** Northfleet & Gravesend West served by Dr Lauren Sullivan and Conrad Broadley

**Summary:**

This paper provides an overview on the proposed expansion of Northfleet Technology College, Colyer Rd, Northfleet, Gravesend DA11 8BG, increasing the Published Admission Number (PAN) from 164 places per year group to 189 places per year group.

**Recommendation(s):**

The Children's, Young People and Education Cabinet Committee is asked to CONSIDER and ENDORSE, or MAKE RECOMMENDATIONS to the Cabinet Member for Education and Skills on the proposals as set out in the PROD.

**1. Introduction**

1.1 This proposal to expand Northfleet Technology College has been developed because the Kent Commissioning Plan 2024/28 indicates that there will be a shortfall in year 7 places in the Gravesham and Longfield Non-Selective planning group.

**2. Background**

2.1 Gravesham Borough's population is increasing with more families moving into the area and as a result, Kent County Council needs to add additional secondary school places to manage the increase in demand. One strategy for

providing additional school places is to expand existing successful and popular schools.

- 2.2 Northfleet Technology College, a member of the Northfleet Schools Co-Operative Trust, is a boy's secondary school. Following an inspection that took place in October 2022, Ofsted deems Northfleet Technology College to be a 'GOOD' school, in all areas.
- 2.3 Following initial discussions, Northfleet Technology College agreed to offer 189 places on a temporary basis in 2023. This agreement has been repeated for September 2024. This proposal seeks to make the expansion permanent and so the senior management and governors of Northfleet Technology College have agreed to consult on this proposal to permanently expand the school and enlarge the secondary provision within the school by the addition of 25 places per school year.
- 2.4 If no further action is taken in the longer term, Kent County Council will find it extremely difficult to provide sufficient secondary school places in the Gravesham and Longfield Non-Selective planning group.

### **3. Proposed decision and changes**

- 3.1 The proposal describes a two-phase plan. Firstly, to install four modular classrooms on the school field as a temporary measure. It is anticipated that this will be completed ready for the start of the September 2024 term start.
- 3.2 Secondly, to build a new standalone teaching block that will provide the school with sufficient accommodation for the school expansion.

### **4. Securing Kent's Future**

- 4.1 The 'Securing Kent's Future' strategy outlines the measures that KCC intend to take to ensure that Kent remains financially stable, now and long into the future. It describes the statutory priorities, one of which being the statutory duty to ensure sufficient school places are available to any child or young person who requires one. This duty applies to Special Educational Needs (SEN) provision, as well as mainstream settings.
- 4.2 This proposal is necessary for KCC to continue to deliver the statutory duty, in a cost-effective way, in line with the guidelines described in the Securing Kent's Future strategy. It will help to maintain KCC's strategic role in supporting schools in Kent to deliver accessible, high quality education provision for all families.
- 4.3 The County Council's Commissioning Plan for Education Provision in Kent 2024-28 is a five-year rolling plan which is updated annually. It sets out KCC's future plans as Strategic Commissioner of Education Provision across all types and phases of education in Kent. A copy of the latest plan can be viewed from this link:

<https://www.kent.gov.uk/education-and-children/schools/education-provision/education-provision-plan>.

## **5. Financial Implications**

### **5.1 Capital**

- 5.1.1 Progression of the scheme to completion, will be dependent on the outcome of detailed feasibility and design work – these will inform the full overall cost of the project.
- 5.1.2 The cost of the expansion will be borne by the CYPE Capital Budget. Currently the estimated cost for the whole scheme is £8.3m. This sum has been included within the Basic Need Capital Programme that was recently agreed by Council. KCC Project Managers will be undertaking continuous checks to keep build costs as close as possible to this estimate.
- 5.1.3 Northfleet Technology College is a Public Finance Initiative (PFI) school. The PFI Special Purpose Vehicle (SPV) have been on board from the start of the project and a change notice is in place for the Deed of Variation (DoV). The works will result in part of the land being removed from the red line. Forecast legal costs for the DoV will be included within the total project cost for the main capital works.
- 5.1.4 An allowance of up to £2,500 may be payable to the school, to outfit each new teaching room with appropriate ICT equipment, such as touch screens or projection equipment. This will be met from the overall Capital allocation for this project.
- 5.1.5 Should the scheme not proceed through to completion, any costs incurred at the time of cessation would become abortive costs and are likely to be recharged to Revenue. This would be reported through the regular financial monitoring reports to Cabinet.

### **5.2 Revenue**

- 5.2.1 The initial phase involves the installation of four mobile teaching rooms at a cost of £311,168. This will be a Revenue expense, funded from the Mobiles and Temporary Accommodation Budget included within the Education Revenue Budget.
- 5.2.2 As the scheme progresses, £6,000 per newly provided learning space, would be provided towards the cost of furniture and equipment, such as tables, desks, chairs, cabinets and learning resources.
- 5.2.3 The school would also receive funding for the additional pupils that it admits in line with the funding allocated to schools through KCC's Schools Funding Formula.
- 5.2.4 Both the £6,000 per classroom, and the additional pupil funding will be met from the Growth Funding provision held within the dedicated school's grant.

### **5.3 Human**

The school will appoint additional staff as required; utilising revenue funding allocated through the Schools Funding Formula for these additional pupils.

## **6. Legal Implications**

- 6.1 KCC, as the Local Authority (LA), has a statutory duty to ensure sufficient school places are available. This duty applies to Special Educational Needs (SEN) provision, as well as mainstream settings.
- 6.2 The County Council's Commissioning Plan for Education Provision in Kent 2024 - 28 is a five-year rolling plan which is updated annually. It sets out KCC's future plans as Strategic Commissioner of Education Provision across all types and phases of education in Kent.

## **7. Equalities Implications**

- 7.1 An Equality Impact Assessment has been completed that indicates that there are no issues.

## **8. Governance**

- 8.1 Northfleet & Gravesend West, Dr Lauren Sullivan and Conrad Broadley. Mr Broadley and Dr Sullivan have been informed of the proposal.
- 8.2 Both the school and the Trust are fully supportive of the proposal.
- 8.3 The Assistant Director Education - North has said that the analysis of the demand that will be created by new housing development in Northfleet shows that about 30 new year 7 places will be needed. All alternatives have been considered, and the conclusion is that the best solution is to expand Northfleet Technology College.

## **9. Consultation**

- 9.1 The school is a foundation school, so ran its own consultation on the proposal, with assistance from KCC. The consultation ran from 1 March 2024 to 28 March 2024.
- 9.2 The school held a public drop-in session on 25 March 2024, which was attended by KCC Officers.
- 9.3 The consultation results were presented to the Governing Body who unanimously agreed on 16 April 2024 to proceed with the proposal.
- 9.4 The School is the data controller for the consultation. KCC will not handle any personal data relating to this consultation or subsequent decision.

## **9. Alternatives considered and rejected**

- 9.1 Every other Secondary school in Gravesham Borough, both selective and non-selective, has either been expanded already, or considered for expansion. Nevertheless, the Assistant Director Education, North, conducted further analysis to see whether there were any schools that would be a better candidate for expansion.



- 9.2 Sites were considered on the basis of the Ofsted rating of the school, popularity, available site space, willingness of the Governing body and cost. The conclusion from this analysis was that the expansion of Northfleet Technology College is the most appropriate option to deliver the capacity that is needed in the area.

**Recommendation(s):**

The Children's, Young People and Education Cabinet Committee is asked to CONSIDER and ENDORSE, or MAKE RECOMMENDATIONS to the Cabinet Member for Education and Skills on the proposals as set out in the PROD.

**Background Documents:**

- EqlA
- Kent Commissioning Plan 2024/2028

**Contact details:**

**Report Author(s):**

Ian Watts  
Assistant Director Education, North  
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**Relevant Director(s):**

Christine McInnes  
Director of Education  
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Christine.McInnes@kent.gov.uk

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# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

## DECISION TO BE TAKEN BY:

Rory Love, Cabinet Member for Education and Skills

## DECISION NO:

24/00025

For publication *[Do not include information which is exempt from publication under schedule 12a of the Local Government Act 1972]*

**Key decision:** YES

## Subject Matter / Title of Decision

Expansion of Northfleet Technology College, Colyer Rd, Northfleet, Gravesend, DA11 8BG

## Decision:

As Cabinet Member for Education and Skills, I:

- I. APPROVE the expansion of Northfleet Technology College from a PAN of 165 to a PAN of 189.
- II. AGREE to allocate the funding from the CYPE Capital Budget that will be required to complete the project.
- III. DELEGATE authority to the Director of Infrastructure to, in consultation with the Director of Education, enter into any necessary contracts or other legal agreements, as required to implement this decision; and
- IV. AGREE for the Director of Infrastructure to be the nominated Authority Representative within the relevant agreements, with authority to enter variations as envisaged under the contracts.

## 1. Reason(s) for Decision:

### Reason for the decision

This proposal to expand Northfleet Technology College was developed because the Kent Commissioning Plan 2024/28 indicates that there will be a shortfall in year 7 places in the Gravesham and Longfield Non-Selective planning group.

Northfleet Technology College, a member of the Northfleet Schools Co-Operative Trust, is a boys secondary school. Following an inspection that took place in October 2022, Ofsted deems Northfleet Technology College to be a 'GOOD' school, in all areas.

Following initial discussions, Northfleet Technology College agreed to offer 189 places on a temporary basis in 2023. This agreement has been repeated for September 2024. This proposal sought to make the expansion permanent and so the senior management and governors of Northfleet Technology College have agreed to consult on this proposal to permanently expand the school and enlarge the secondary provision within the school by the addition of 25 places per school year.

If no further action is taken in the longer term, Kent County Council will find it extremely difficult to provide sufficient secondary school places in the Gravesham and Longfield Non-Selective planning group.

## **2. Securing Kent's Future**

The 'Securing Kent's Future' strategy outlines the measures that KCC intend to take to ensure that Kent remains financially stable, now and long into the future. It describes the statutory priorities, one of which being the statutory duty to ensure sufficient school places are available to any child or young person who requires one. This duty applies to Special Educational Needs (SEN) provision, as well as mainstream settings.

This proposal is necessary for KCC to continue to deliver the statutory duty, in a cost-effective way, in line with the guidelines described in the Securing Kent's Future strategy. It will help to maintain KCC's strategic role in supporting schools in Kent to deliver accessible, high quality education provision for all families.

The County Council's Commissioning Plan for Education Provision in Kent 2024-28 is a five-year rolling plan which is updated annually. It sets out KCC's future plans as Strategic Commissioner of Education Provision across all types and phases of education in Kent. A copy of the latest plan can be viewed from this link:

<https://www.kent.gov.uk/education-and-children/schools/education-provision/education-provision-plan>

## **3. Consultation**

The school is a foundation school, so ran its own consultation on the proposal, with assistance from KCC. The consultation ran from 1 March 2024 to 28 March 2024. The school held a public drop-in session on 25 March 2024, which was attended by KCC Officers.

The consultation results were presented to the Governing Body who agreed to proceed with the proposal.

The division affected is Northfleet & Gravesend West, served by Dr Lauren Sullivan and Conrad Broadley. Mr Broadley and Dr Sullivan have been informed of the proposal.

Both the school and the Governing Body are fully supportive of the proposal.

The Assistant Director Education - North has said that the analysis of the demand that will be created by new housing development in Northfleet shows that about 30 new year 7 places will be needed. All alternatives have been considered, and the conclusion is that the best solution is to expand Northfleet Technology College.

## **4. Equalities Assessment**

An Equality Impact Assessment has been completed that indicates that there are no issues.

## **5. Financial Implications**

### ***Capital***

Progression of the scheme to completion, will be dependent on the outcome of detailed feasibility and design work – these will inform the full overall cost of the project.

The cost of the expansion will be borne by the CYPE Capital Budget. The initial estimated cost for the whole scheme was £8.3m. This sum is included within the Basic Need Capital Programme that was agreed by Council.

Northfleet Technology College is a Public Finance Initiative (PFI) school. The PFI Special Purpose Vehicle (SPV) have been on board from the start of the project and a change notice is in place for the Deed of Variation (DoV). The works will result in part of the land being removed from the PFI red line. Legal costs for the DoV are included within the total project cost for the main capital works.

An allowance of up to £2,500 may be payable to the school, to outfit each new teaching room with appropriate ICT equipment, such as touch screens or projection equipment. This will be met from the overall Capital allocation for this project.

### **Revenue**

The initial phase involved the installation of four mobile teaching rooms at a cost of £311,168. This was a Revenue expense, funded from the Mobiles and Temporary Accommodation Budget included within the Education Revenue Budget.

As the scheme progresses, £6,000 per newly created learning space, would be provided towards the cost of furniture and equipment, such as tables, desks, chairs, cabinets and learning resources.

The school would also receive funding for the additional pupils that it admits in line with the funding allocated to schools through KCC's Schools Funding Formula.

Both the £6,000 per classroom, and the additional pupil funding will be met from the Growth Funding provision held within the dedicated school's grant.

### **Human**

The school will appoint additional staff as required; utilising revenue funding allocated through the Schools Funding Formula for these additional pupils.

## **6. DPIA**

The School is the Data Controller for the consultation. KCC will not handle any personal data relating to this consultation or subsequent decision.

### **Cabinet Committee Recommendations and Other Consultation:**

This decision will be considered at the meeting of the Children's, Young People and Education Cabinet Committee on 16 May 2024.

### **Any Alternatives Considered and Rejected:**

Every other Secondary school in Gravesham Borough, both selective and non-selective, has either been expanded already, or considered for expansion. Nevertheless, the Assistant Director Education, North, conducted further analysis to see whether there were any schools that would be a better candidate for expansion.

Sites were considered on the basis of the Ofsted rating of the school, popularity, available site space, willingness of the Governing body and cost. The conclusion from this analysis was that the expansion of Northfleet Technology College is the most appropriate option to deliver the capacity that is needed in the area.

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

None

.....  
signed

.....  
date

## EQIA Submission – ID Number

### Section A

**EQIA Title**

Expansion of Northfleet Technology College

**Responsible Officer**

David Hart - CY EPA

**Approved by (Note: approval of this EqIA must be completed within the EqIA App)**

Ian Watts - CY EPA

### Type of Activity

**Service Change**

No

**Service Redesign**

No

**Project/Programme**

Project/Programme

**Commissioning/Procurement**

No

**Strategy/Policy**

No

**Details of other Service Activity**

No

### Accountability and Responsibility

**Directorate**

Children Young People and Education

**Responsible Service**

Education, Planning and Access

**Responsible Head of Service**

Ian Watts - CY EPA

**Responsible Director**

Christine McInnes - CY EPA

### Aims and Objectives

This proposal to expand Northfleet Technology College is being brought before the Cabinet Committee because the Kent Commissioning Plan 2024/28 indicates that there will be a shortfall in year 7 places in the Gravesham and Longfield Non-Selective planning group.

Gravesham Borough's population is increasing with more families moving into the area and as a result, Kent County Council needs to add additional secondary school places to manage the increase in demand. One strategy for providing additional school places is to expand existing successful and popular schools.

Northfleet Technology College, a member of the Northfleet Schools Co-Operative Trust, is a boy's secondary school. Following an inspection that took place in October 2022. Ofsted deems Northfleet Technology College to be a 'GOOD' school, in all areas.

Following initial discussions, Northfleet Technology College agreed to offer 189 places on a temporary basis in 2023. This agreement has been repeated for September 2024. This proposal seeks to make the expansion permanent and so the senior management and governors of Northfleet Technology College have agreed to consult on this proposal to permanently expand the school and enlarge the secondary provision within the school by the addition of 25 places per school year.

The proposal describes a two-phase plan. Firstly, to install four modular classrooms on the school field as a temporary measure. It is anticipated that this will be completed ready for the start of the September 2024 term start.

Secondly, to build a new standalone teaching block that will provide the school with sufficient accommodation for the school expansion.

If no further action is taken in the longer term, Kent County Council will find it extremely difficult to provide sufficient primary school places in the Gravesham and Longfield Non-Selective planning group.

## Section B – Evidence

**Do you have data related to the protected groups of the people impacted by this activity?**

Yes

**It is possible to get the data in a timely and cost effective way?**

Yes

**Is there national evidence/data that you can use?**

No

**Have you consulted with stakeholders?**

Yes

**Who have you involved, consulted and engaged with?**

The school is a foundation school, so ran its own consultation on the proposal, with assistance from KCC. The consultation ran from 1 March 2024 to 28 March 2024.

KCC supported the school by sending out the literature to all stakeholders, including all primary, special and secondary schools, district and county councilors, MPs, trades unions, and the Department for Education.

The school held a public drop-in session on 25 March 2024, which was attended by KCC Officers.

The consultation results were presented to the Governing Body who agreed to proceed with the proposal.

**Has there been a previous Equality Analysis (EQIA) in the last 3 years?**

No

**Do you have evidence that can help you understand the potential impact of your activity?**

Yes

## Section C – Impact

**Who may be impacted by the activity?**

**Service Users/clients**

Service users/clients

**Staff**

Staff/Volunteers

**Residents/Communities/Citizens**

Residents/communities/citizens

**Are there any positive impacts for all or any of the protected groups as a result of the activity that you are doing?**

Yes

**Details of Positive Impacts**

Additional school places will benefit all residents including those with protected characteristics.

## Negative impacts and Mitigating Actions

19.Negative Impacts and Mitigating actions for Age



<b>Are there negative impacts for age?</b>
No. Note: If Question 19a is "No", Questions 19b,c,d will state "Not Applicable" when submission goes for approval
<b>Details of negative impacts for Age</b>
Not Completed
<b>Mitigating Actions for Age</b>
Not Completed
<b>Responsible Officer for Mitigating Actions – Age</b>
Not Completed
<b>20. Negative impacts and Mitigating actions for Disability</b>
<b>Are there negative impacts for Disability?</b>
No. Note: If Question 20a is "No", Questions 20b,c,d will state "Not Applicable" when submission goes for approval
<b>Details of Negative Impacts for Disability</b>
Not Completed
<b>Mitigating actions for Disability</b>
Not Completed
<b>Responsible Officer for Disability</b>
Not Completed
<b>21. Negative Impacts and Mitigating actions for Sex</b>
<b>Are there negative impacts for Sex</b>
No. Note: If Question 21a is "No", Questions 21b,c,d will state "Not Applicable" when submission goes for approval
<b>Details of negative impacts for Sex</b>
Not Completed
<b>Mitigating actions for Sex</b>
Not Completed
<b>Responsible Officer for Sex</b>
Not Completed
<b>22. Negative Impacts and Mitigating actions for Gender identity/transgender</b>
<b>Are there negative impacts for Gender identity/transgender</b>
No. Note: If Question 22a is "No", Questions 22b,c,d will state "Not Applicable" when submission goes for approval
<b>Negative impacts for Gender identity/transgender</b>
Not Completed
<b>Mitigating actions for Gender identity/transgender</b>
Not Completed
<b>Responsible Officer for mitigating actions for Gender identity/transgender</b>
Not Completed
<b>23. Negative impacts and Mitigating actions for Race</b>
<b>Are there negative impacts for Race</b>
No. Note: If Question 23a is "No", Questions 23b,c,d will state "Not Applicable" when submission goes for approval
<b>Negative impacts for Race</b>
Not Completed
<b>Mitigating actions for Race</b>
Not Completed
<b>Responsible Officer for mitigating actions for Race</b>
Not Completed
<b>24. Negative impacts and Mitigating actions for Religion and belief</b>

<b>Are there negative impacts for Religion and belief</b>
No. Note: If Question 24a is "No", Questions 24b,c,d will state "Not Applicable" when submission goes for approval
<b>Negative impacts for Religion and belief</b>
Not Completed
<b>Mitigating actions for Religion and belief</b>
Not Completed
<b>Responsible Officer for mitigating actions for Religion and Belief</b>
Not Completed
<b>25. Negative impacts and Mitigating actions for Sexual Orientation</b>
<b>Are there negative impacts for Sexual Orientation</b>
No. Note: If Question 25a is "No", Questions 25b,c,d will state "Not Applicable" when submission goes for approval
<b>Negative impacts for Sexual Orientation</b>
Not Completed
<b>Mitigating actions for Sexual Orientation</b>
Not Completed
<b>Responsible Officer for mitigating actions for Sexual Orientation</b>
Not Completed
<b>26. Negative impacts and Mitigating actions for Pregnancy and Maternity</b>
<b>Are there negative impacts for Pregnancy and Maternity</b>
No. Note: If Question 26a is "No", Questions 26b,c,d will state "Not Applicable" when submission goes for approval
<b>Negative impacts for Pregnancy and Maternity</b>
Not Completed
<b>Mitigating actions for Pregnancy and Maternity</b>
Not Completed
<b>Responsible Officer for mitigating actions for Pregnancy and Maternity</b>
Not Completed
<b>27. Negative impacts and Mitigating actions for Marriage and Civil Partnerships</b>
<b>Are there negative impacts for Marriage and Civil Partnerships</b>
No. Note: If Question 27a is "No", Questions 27b,c,d will state "Not Applicable" when submission goes for approval
<b>Negative impacts for Marriage and Civil Partnerships</b>
Not Completed
<b>Mitigating actions for Marriage and Civil Partnerships</b>
Not Completed
<b>Responsible Officer for Marriage and Civil Partnerships</b>
Not Completed
<b>28. Negative impacts and Mitigating actions for Carer's responsibilities</b>
<b>Are there negative impacts for Carer's responsibilities</b>
No. Note: If Question 28a is "No", Questions 28b,c,d will state "Not Applicable" when submission goes for approval
<b>Negative impacts for Carer's responsibilities</b>
Not Completed
<b>Mitigating actions for Carer's responsibilities</b>
Not Completed
<b>Responsible Officer for Carer's responsibilities</b>
Not Completed



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## EXECUTIVE DECISION

**From:** Rory Love Cabinet Member for Education and Skills  
Sarah Hammond, Corporate Director of Children, Young People and Education

**To:** Children's, Young People and Education Cabinet Committee – 16 May 2024

**Subject:** Expansion of Leigh Academy, Green Street Green Rd, Dartford DA1 1RB

Decision Number: 24/00024

Key decision Expenditure of over 1m

**Classification:** Unrestricted

**Past Pathway of report:** None

**Future Pathway of report:** Cabinet Member Decision

**Electoral Division:** Dartford East served by Penny Cole

### Summary:

This paper provides an overview on the proposed expansion of Leigh Academy, Green Street Green Rd, Dartford DA1 1RB, by 2FE, increasing the Published Admission Number (PAN) from 240 places per year group to 300 places per year group.

### Recommendation(s):

The Children's, Young People and Education Cabinet Committee is asked to:

1. CONSIDER and ENDORSE, or MAKE RECOMMENDATIONS to the Cabinet Member for Education and Skills on the proposals as set out in the PROD; and
2. NOTE that subject to the delivery of the above proposed decision, the decision on final progression of the project will be taken at a later date, taking account of any comments made by the Cabinet Committee on this report.

## 1. Introduction

- 1.1 This proposal to expand Leigh Academy has been developed because the Kent Commissioning Plan 2024/28 indicates that there will be a shortfall in year 7 places in the Dartford and Swanley non-selective planning group.

- 1.2 To support KCC to mitigate against this shortfall, Leigh Academy agreed to increase its PAN from 240 to offer 270 places for September 2023, September 2024 and September 2025.

## **2. Background / Current Arrangements**

- 2.1 Dartford Borough's population is increasing with more families moving into the area and as a result, Kent County Council needs to add additional secondary school places to manage the increase in demand. One strategy for providing additional school places is to expand existing successful and popular schools.
- 2.2 Leigh Academy, part of the Leigh Academy Trust (LAT), is a co-ed secondary school. Following an inspection that took place in April 2023, Ofsted deems Leigh Academy to be a 'GOOD' school.
- 2.3 Leigh Academy agreed to increase its PAN from 240 to offer 270 places for September 2023, September 2024 and September 2025.
- 2.3 Following further discussions, Leigh Academy agreed to offer 300 places from 2026, subject to a physical expansion. This proposal seeks to facilitate the expansion by building a standalone block and enable various internal and external works. The Trust, senior leadership team and governors of Leigh Academy agreed to consult on this proposal to permanently expand the school and enlarge the secondary provision within the school by the addition of 60 places per school year.

## **3. Proposed decision and changes**

- 3.1 A decision is required now to allow internal modifications to Leigh Academy's existing building to be undertaken, which will allow the school to continue to admit an increased cohort from September 2024 and to begin work on external areas of the site.
- 3.2 The funding will also allow KCC to enter into a contract to undertake the requisite feasibility studies and design work for the main scheme to produce a new standalone block on site. A separate decision will be taken by the Cabinet Member in due course to agree the overall funding of the scheme. The estimated costs are explained below.
- 3.3 If no further action is taken in the longer term, Kent County Council will find it extremely difficult to provide sufficient secondary school places in the Dartford and Swanley non-selective planning group.
- 3.4 Alongside the new expansion block, internal alterations to the main school building are planned to increase the number of teaching spaces, and toilet provision to align with BB103. Approval is sought for monies to cover the initial design development cost associated with these elements being directly delivered by Leigh Academy Trust.
- 3.5 In order to accommodate the ongoing 2FE expansion, Leigh Academy have committed to an increased PAN in September 2024 (in line with September

2023), however this increased PAN requires an initial phase of internal alteration works to be undertaken to facilitate an increase in pupil numbers.

3.6 Any works undertaken by the Academy are to be overseen by the appointed KCC Consultant team, and all costs validated by the Woodley Coles Partnership whom have been engaged by KCC to provide overall cost management control on the scheme.

3.7 If no further action is taken in the longer term, Kent County Council will find it extremely difficult to provide sufficient secondary school places in the Dartford and Swanley non-selective planning group.

#### 4. Securing Kent's Future

4.1 The 'Securing Kent's Future' strategy outlines the measures that KCC intend to take to ensure that Kent remains financially stable, now and long into the future. It describes the statutory priorities, one of which being the statutory duty to ensure sufficient school places are available to any child or young person who requires one. This duty applies to Special Educational Needs (SEN) provision, as well as mainstream settings.

4.2 This proposal is necessary for KCC to continue to deliver the statutory duty, in a cost-effective way, in line with the guidelines described in the Securing Kent's Future strategy. It will help to maintain KCC's strategic role in supporting schools in Kent to deliver accessible, high quality education provision for all families.

4.3 The County Council's Commissioning Plan for Education Provision in Kent 2024-28 is a five-year rolling plan which is updated annually. It sets out KCC's future plans as Strategic Commissioner of Education Provision across all types and phases of education in Kent. A copy of the latest plan can be viewed from this link:

<https://www.kent.gov.uk/education-and-children/schools/education-provision/education-provision-plan>

#### 5. Financial Implications

##### 5.1 Capital

5.1.1 The total cost of the expansion is estimated to be £10.5m, including both KCC and LAT spend which is to be allocated from the CYPE Capital Budget. This sum has been included within the Basic Need Capital Programme that was recently agreed by Council. KCC will investigate whether other funding sources can be accessed, such as Community Infrastructure Levy, once full costs are known. A summary of the anticipated costs is as follows:

	Early Release of Funding for Preliminaries	Construction (estimate)	Sub total
LAT costs	£ 73,000		£ 73,000
LAT Costs (internals 2024)	£, 352,000	-	£ 352,000

LAT Costs (externals & dining 2025)		£ 750,000.00	£ 750,000
KCC Costs	£ 975,000	£ 8,200,000.00	£ 9,175,000
Contingency		£ 150,000.00	£ 150,000
Sub total	£ 1,400,000	£ 9,100,000.00	£ 10,500,000

5.1.2 These totals are estimates and a final costing for the whole scheme will be notified to the Cabinet Member at a later date.

5.1.4 LAT costs will be remitted directly to the Academy, subject to a binding funding agreement being signed by both parties, in order for them to complete their preliminary work which will involve internal reconfiguration (toilets and teaching space) in preparation for September 2024, followed by the relocation of their tennis courts and an expansion of their dining area, once full planning permission has been obtained.

5.1.5 An allowance of up to £2,500 may be payable to the school, to outfit each new teaching room with appropriate ICT equipment, such as touch screens or projection equipment. This will be met from the overall Capital allocation for this project.

5.1.6 Should the scheme not proceed through to completion, any costs incurred at the time of cessation would become abortive costs and are likely to be recharged to Revenue. This would be reported through the regular financial monitoring reports to Cabinet.

## 5.2 Revenue

5.2.1 The school would also receive funding for the additional pupils that it admits in line with the funding allocated to schools through KCC's Schools Funding Formula.

5.2.2 As the scheme progresses, £6,000 per newly provided learning space, would be provided towards the cost of furniture and equipment, such as tables, desks, chairs, cabinets and learning resources.

5.2.3 Both of these revenue allocations will be met from the Growth Funding provision held within the dedicated school's grant.

## 5.3 Human

The school will appoint additional staff as required; utilising revenue funding allocated through the Schools Funding Formula for these additional pupils.

## 6. Legal Implications

6.1 KCC, as the Local Authority (LA), has a statutory duty to ensure sufficient school places are available. This duty applies to Special Educational Needs (SEN) provision, as well as mainstream settings.

6.2 The County Council's Commissioning Plan for Education Provision in Kent 2024 - 28 is a five-year rolling plan which is updated annually. It sets out



KCC's future plans as Strategic Commissioner of Education Provision across all types and phases of education in Kent.

## **7. Equalities Implications**

- 7.1 An Equality Impact Assessment has been completed that indicates that there are no issues.

## **8. Governance**

- 8.1 The local member for Dartford East, Penny Cole has been informed of the proposal.

- 8.2 Mrs Cole said:  
"Overall, I am in agreement with the proposal as there is such pressure on places in the area and it is the most cost-effective way of providing more school places. However, I do have concerns about the potential impact of congestion in the area around the school, as it is right by junction 1b of the M25 and the area regularly gets snarled up when there are issues with the tunnel."

- 8.3 Both the school and the Academy Trust are fully supportive of the proposal.

- 8.5 The Assistant Director Education - North has said that the analysis of the demand that will be created by new housing development in Dartford shows that about 60 new year 7 places will be needed. All alternatives have been considered, and the conclusion is that the best solution is to expand Leigh Academy.

## **9. Consultation**

- 9.1 The school is an Academy, so ran its own consultation on the proposal, with assistance from KCC. The consultation ran from 29 February 2024 to 28 March 2024.

- 9.2 The school held a public drop-in session on 12 March 2024, which was attended by KCC Officers.

- 9.3 The consultation results were presented to the Governing Body who agreed to proceed with the proposal.

- 9.4 The School is the Data Controller for the consultation. KCC will not handle any personal data relating to this consultation or subsequent decision.

## **9. Alternatives considered and rejected**

- 9.1 Every other Secondary school in Dartford Borough, both selective and non-selective, has either been expanded already, or considered for expansion. Nevertheless, the Assistant Director Education, North, conducted further analysis to see whether there were any schools that would be a better candidate for expansion.

- 9.2 Sites were considered on the basis of the Ofsted rating of the school, popularity, available site space, willingness of the Governing body and cost. The conclusion from this analysis was that the expansion of Leigh Academy is the most appropriate option to deliver the capacity that is needed in the area.

**Recommendation(s):**

The Children's, Young People and Education Cabinet Committee is asked to CONSIDER and ENDORSE, or MAKE RECOMMENDATIONS to the Cabinet Member for Education and Skills to:

- I. CONSIDER and ENDORSE, or MAKE RECOMMENDATIONS to the Cabinet Member for Education and Skills on the proposals as set out in the PROD; and
- II. NOTE that subject to the delivery of the above proposed decision, the decision on final progression of the project will be taken at a later date, taking account of any comments made by the Cabinet Committee on this report.

**Background Documents:**

- EqlA
- Kent Commissioning Plan 2024/2028

**Contact details:**

**Report Author(s):**

Ian Watts  
Assistant Director Education, North  
03000 414302

ian.watts@kent.gov.uk

**Relevant Director(s):**

Christine McInnes  
Director of Education  
03000 418913

Christine.McInnes@kent.gov.uk

# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

## DECISION TO BE TAKEN BY:

Rory Love, Cabinet Member for Education and Skills

## DECISION NO:

24/00024

For publication *[Do not include information which is exempt from publication under schedule 12a of the Local Government Act 1972]*

**Key decision:** YES

## Subject Matter / Title of Decision

Expansion of Leigh Academy, Green Street Green Rd, Dartford DA1 1RB

## Decision:

As Cabinet Member for Education and Skills, I:

- I. APPROVE the expansion of Leigh Academy by 2FE,
- II. AGREE to allocate £425,000, subject to a binding funding agreement, from the CYPE Capital Budget to the Leigh Academy Trust (LAT), to:
  - a. enable design work for the essential internal and external works
  - b. enable LAT to undertake essential internal modification works, during 2024.
- III. AGREE to allocate £975,000 from the CYPE Capital Budget, to enable KCC to undertake feasibility checks, design, plan, cost and tender for the project to construct a new standalone block, from June 2024
- IV. DELEGATE authority to the Director of Infrastructure to, in consultation with the Director of Education, enter into any necessary contracts or other legal agreements, as required to implement this decision; and
- V. AGREE for the Director of Infrastructure to be the nominated Authority Representative within the relevant agreements, with authority to enter variations as envisaged under the contracts.

## 1. Reason(s) for Decision:

### Reason for the decision

This proposal to expand Leigh Academy was developed because the Kent Commissioning Plan 2024/28 indicates that there will be a shortfall in year 7 places in the Dartford and Swanley non-selective planning group.

To support KCC to mitigate against this shortfall, Leigh Academy agreed to increase its PAN from 240 to offer 270 places for September 2023, September 2024 and September 2025.

Following further discussions, Leigh Academy agreed to offer 300 places from 2026, subject to a physical expansion. This proposal sought to facilitate the expansion by building a standalone block, and to enable various internal and external works. The Trust, senior leadership team and governors

of Leigh Academy agreed to consult on the proposal to permanently expand the school and enlarge the secondary provision within the school by the addition of 60 places per school year.

Leigh Academy, part of the Leigh Academy Trust (LAT), is a co-ed secondary school. Following an inspection that took place in April 2023, Ofsted deems Leigh Academy to be a 'GOOD' school.

A decision is required now to allow internal modifications to Leigh existing building to be undertaken, which will allow the school to continue to admit an increased cohort from September 2024 and to begin work on external areas of the site. The funding will also allow KCC to enter into a contract to undertake the requisite feasibility studies and design work for the main scheme to produce a new standalone block on site.

Subject to the delivery of this decision, a decision on final progression of the project will be taken at a later date by the Cabinet Member, taking account of any comments made by the Cabinet Committee at its meeting on 16 May 2024

If no further action is taken in the longer term, Kent County Council will find it extremely difficult to provide sufficient secondary school places in the Dartford and Swanley non-selective planning group..

## **2. Securing Kent's Future**

The 'Securing Kent's Future' strategy outlines the measures that KCC intend to take to ensure that Kent remains financially stable, now and long into the future. It describes the statutory priorities, one of which being the statutory duty to ensure sufficient school places are available to any child or young person who requires one. This duty applies to Special Educational Needs (SEN) provision, as well as mainstream settings.

This proposal is necessary for KCC to continue to deliver the statutory duty, in a cost-effective way, in line with the guidelines described in the Securing Kent's Future strategy. It will help to maintain KCC's strategic role in supporting schools in Kent to deliver accessible, high quality education provision for all families.

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<https://www.kent.gov.uk/education-and-children/schools/education-provision/education-provision-plan>

## **3. Consultation**

The school is an Academy, so ran its own consultation on the proposal, with assistance from KCC. The consultation ran from 29 February 2024 to 28 March 2024.

The school held a public drop-in session on 12 March 2024, which was attended by KCC Officers.

The consultation results were presented to the Governing Body who agreed to proceed with the proposal.

The division affected is Dartford East served by Mrs Penny Cole. Mrs Cole was informed of the proposal and has said:

"Overall, I am in agreement with the proposal as there is such pressure on places in the area and it is the most cost effective way of providing more school places. However, I do have concerns about the potential impact of congestion in the area around the school, as it is right by junction 1b of the M25 and the area regularly gets snarled up when there are issues with the tunnel."

Both the school and the Trust are fully supportive of the proposal.

The Assistant Director Education - North has said that the analysis of the demand that will be created by new housing development in Dartford shows that about 60 new year 7 places will be needed. All alternatives have been considered, and the conclusion is that the best solution is to expand Leigh Academy.

#### 4. Equalities Assessment

An Equality Impact Assessment has been completed that indicates that there are no issues.

#### 5. Financial Implications

##### **Capital**

The total cost of the expansion is estimated to be £10.5m, including both KCC and LAT spend which is to be allocated from the CYPE Capital Budget. This sum has been included within the Basic Need Capital Programme that was recently agreed by Council. KCC will investigate whether other funding sources can be accessed, such as Community Infrastructure Levy, once full costs are known. A summary of the anticipated costs is as follows:

	Early Release of Funding for Preliminaries	Construction (estimate)	Sub total
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<b>LAT Costs (externals &amp; dining 2025)</b>		£ 750,000.00	£ 750,000
<b>KCC Costs</b>	£ 975,000	£ 8,200,000.00	£ 9,175,000
<b>Contingency</b>		£ 150,000.00	£ 150,000
<b>Sub total</b>	£ 1,400,000	£ 9,100,000.00	£ 10,500,000

These totals are estimates and a final costing for the whole scheme will be notified to the Cabinet Member at a later date.

LAT costs will be remitted directly to the Academy, subject to a binding funding agreement being signed by both parties, in order for them to complete their preliminary work which will involve internal reconfiguration (toilets and teaching space) in preparation for September 2024, followed by the relocation of their tennis courts and an expansion of their dining area, once full planning permission has been obtained.

An allowance of up to £2,500 may be payable to the school, to outfit each new teaching room with appropriate ICT equipment, such as touch screens or projection equipment. This will be met from the overall Capital allocation for this project.

Should the scheme not proceed through to completion, any costs incurred at the time of cessation would become abortive costs and are likely to be recharged to Revenue. This would be reported through the regular financial monitoring reports to Cabinet.

##### **Revenue**

The school would also receive funding for the additional pupils that it admits in line with the funding allocated to schools through KCC's Schools Funding Formula.

As the scheme progresses, £6,000 per newly provided learning space, would be provided towards the cost of furniture and equipment, such as tables, desks, chairs, cabinets and learning resources.

Both of these revenue allocations will be met from the Growth Funding provision held within the dedicated school's grant.

**Human**

The school will appoint additional staff as required; utilising revenue funding allocated through the Schools Funding Formula for these additional pupils.

**6. DPIA**

The School is the Data Controller for the consultation. KCC will not handle any personal data relating to this consultation or subsequent decision.

**Cabinet Committee Recommendations and Other Consultation:**

This decision will be considered at the meeting of the Children's, Young People and Education Cabinet Committee on 16 May 2024.

**Any Alternatives Considered and Rejected:**

Every other Secondary school in Dartford Borough, both selective and non-selective, has either been expanded already, or considered for expansion. Nevertheless, the Assistant Director Education, North, conducted further analysis to see whether there were any schools that would be a better candidate for expansion.

Sites were considered on the basis of the Ofsted rating of the school, popularity, available site space, willingness of the Governing body and cost. The conclusion from this analysis was that the expansion of Leigh Academy is the most appropriate option to deliver the capacity that is needed in the area.

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

None

.....  
signed

.....  
date

## EQIA Submission – ID Number

### Section A

**EQIA Title**

Expansion of Leigh Academy Dartford

**Responsible Officer**

David Hart - CY EPA

**Approved by (Note: approval of this EqIA must be completed within the EqIA App)**

Ian Watts - CY EPA

### Type of Activity

**Service Change**

No

**Service Redesign**

No

**Project/Programme**

Project/Programme

**Commissioning/Procurement**

No

**Strategy/Policy**

No

**Details of other Service Activity**

No

### Accountability and Responsibility

**Directorate**

Children Young People and Education

**Responsible Service**

Education, Planning and Access

**Responsible Head of Service**

Ian Watts - CY EPA

**Responsible Director**

Christine McInnes - CY EPA

### Aims and Objectives

Dartford Borough's population is increasing with more families moving into the area and as a result, Kent County Council needs to add additional secondary school places to manage the increase in demand. One strategy for providing additional school places is to expand existing successful and popular schools.

Leigh Academy, part of the Leigh Academy Trust (LAT) is a co-ed secondary school. Following an inspection that took place in April 2023, Ofsted deems Leigh Academy to be a 'GOOD' school.

Leigh Academy agreed to increase its PAN from 240 to offer 270 places for September 2023, September 2024 and September 2025.

Following further discussions, Leigh Academy agreed to offer 300 places from 2026, subject to a physical expansion. This proposal seeks to facilitate the expansion by building a standalone block and enable various internal and external works. The Trust, senior leadership team and governors of Leigh Academy agreed to consult on this proposal to permanently expand the school and enlarge the secondary provision within the school by the addition of 60 places per school year.

The 2FE expansion is to be facilitated by internal alterations to the existing main school building, along with

construction of a new teaching block at the front of the site to provide the level of accommodation required in accordance with BB103. The existing tennis courts will be relocated to facilitate the construction of the new standalone block.

Alongside the new expansion block, internal alterations to the main school building are planned to increase the number of teaching spaces, and toilet provision to align with BB103. Approval is sought for monies to cover the initial design development cost associated with these elements being directly delivered by Leigh Academy Trust.

In order to accommodate the ongoing 2FE expansion, Leigh Academy have committed to an increased PAN in September 2024 (inline with September 2023), however this increased PAN requires an initial phase of internal alteration works to be undertaken to facilitate an increase in pupil numbers.

If no further action is taken in the longer term, Kent County Council will find it extremely difficult to provide sufficient primary school places in the Dartford and Swanley non-selective planning group.

## Section B – Evidence

**Do you have data related to the protected groups of the people impacted by this activity?**

Yes

**It is possible to get the data in a timely and cost effective way?**

Yes

**Is there national evidence/data that you can use?**

No

**Have you consulted with stakeholders?**

Yes

**Who have you involved, consulted and engaged with?**

The school is an Academy, so ran its own consultation on the proposal, with assistance from KCC. The consultation ran from 29 February 2024 to 28 March 2024.

KCC supported the school by sending out the literature to all stakeholders, including all primary, special and secondary schools, district and county councillors, MPs, trades unions, and the Department for Education.

The school held a public drop-in session on 12 March 2024, which was attended by KCC Officers.

The consultation results were presented to the Governing Body who agreed to proceed with the proposal.

**Has there been a previous Equality Analysis (EQIA) in the last 3 years?**

No

**Do you have evidence that can help you understand the potential impact of your activity?**

Yes

## Section C – Impact

**Who may be impacted by the activity?**

**Service Users/clients**

Service users/clients

**Staff**

Staff/Volunteers

**Residents/Communities/Citizens**

Residents/communities/citizens

**Are there any positive impacts for all or any of the protected groups as a result of the activity that you are doing?**

Yes



<b>Details of Positive Impacts</b>
Additional school places will benefit all residents including those with protected characteristics.
<b>Negative impacts and Mitigating Actions</b>
<b>19. Negative Impacts and Mitigating actions for Age</b>
<b>Are there negative impacts for age?</b>
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<b>Mitigating actions for Gender identity/transgender</b>
Not Completed
<b>Responsible Officer for mitigating actions for Gender identity/transgender</b>
Not Completed
<b>23. Negative impacts and Mitigating actions for Race</b>
<b>Are there negative impacts for Race</b>
No. Note: If Question 23a is "No", Questions 23b,c,d will state "Not Applicable" when submission goes for approval
<b>Negative impacts for Race</b>
Not Completed
<b>Mitigating actions for Race</b>

Not Completed
<b>Responsible Officer for mitigating actions for Race</b>
Not Completed
<b>24. Negative impacts and Mitigating actions for Religion and belief</b>
<b>Are there negative impacts for Religion and belief</b>
No. Note: If Question 24a is "No", Questions 24b,c,d will state "Not Applicable" when submission goes for approval
<b>Negative impacts for Religion and belief</b>
Not Completed
<b>Mitigating actions for Religion and belief</b>
Not Completed
<b>Responsible Officer for mitigating actions for Religion and Belief</b>
Not Completed
<b>25. Negative impacts and Mitigating actions for Sexual Orientation</b>
<b>Are there negative impacts for Sexual Orientation</b>
No. Note: If Question 25a is "No", Questions 25b,c,d will state "Not Applicable" when submission goes for approval
<b>Negative impacts for Sexual Orientation</b>
Not Completed
<b>Mitigating actions for Sexual Orientation</b>
Not Completed
<b>Responsible Officer for mitigating actions for Sexual Orientation</b>
Not Completed
<b>26. Negative impacts and Mitigating actions for Pregnancy and Maternity</b>
<b>Are there negative impacts for Pregnancy and Maternity</b>
No. Note: If Question 26a is "No", Questions 26b,c,d will state "Not Applicable" when submission goes for approval
<b>Negative impacts for Pregnancy and Maternity</b>
Not Completed
<b>Mitigating actions for Pregnancy and Maternity</b>
Not Completed
<b>Responsible Officer for mitigating actions for Pregnancy and Maternity</b>
Not Completed
<b>27. Negative impacts and Mitigating actions for Marriage and Civil Partnerships</b>
<b>Are there negative impacts for Marriage and Civil Partnerships</b>
No. Note: If Question 27a is "No", Questions 27b,c,d will state "Not Applicable" when submission goes for approval
<b>Negative impacts for Marriage and Civil Partnerships</b>
Not Completed
<b>Mitigating actions for Marriage and Civil Partnerships</b>
Not Completed
<b>Responsible Officer for Marriage and Civil Partnerships</b>
Not Completed
<b>28. Negative impacts and Mitigating actions for Carer's responsibilities</b>
<b>Are there negative impacts for Carer's responsibilities</b>
No. Note: If Question 28a is "No", Questions 28b,c,d will state "Not Applicable" when submission goes for approval
<b>Negative impacts for Carer's responsibilities</b>
Not Completed
<b>Mitigating actions for Carer's responsibilities</b>

Not Completed
<b>Responsible Officer for Carer's responsibilities</b>
Not Completed

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**From: Sarah Hammond, Corporate Director for Children, Young People and Education**

**Rory Love, Cabinet Member for Education and Skills**

**To: Children's, Young People and Education Cabinet Committee 16 May 2024**

**Subject: 24/00040 Proposal to add an eight classroom block at Whitfield Aspen Primary School (Richmond Way site)**

**Key decision – It involves expenditure or savings exceeding £1m**

**Classification: Unrestricted**

**Past Pathway of Paper: None**

**Future Pathway of Paper: Cabinet Member – Education and Skills**

**Electoral Division: Dover North**

**Summary:**

This report informs Members of the proposal to add eight classrooms at Whitfield Aspen Primary School (Richmond Way site) and the reasons for this.

*Recommendation(s):*

The Children's, Young People and Education Committee is asked to CONSIDER and ENDORSE, or MAKE RECOMMENDATIONS to the Cabinet Member for Education and Skills on the proposal to:

- (i). Approve the allocation of up to £2,800,000 of capital funding from the CYPE capital budget to add an eight classroom block at Whitfield Aspen Primary School (Richmond Way site);
- (ii). Delegate authority to the Director of Infrastructure in consultation with the Director of Education to enter into any necessary contracts or other legal agreements as required to implement this decision; and
- (iii). Authorise the Director of Infrastructure to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts.

**1. Background**

1.1 Whitfield Aspen Primary School is a 3FE primary school with a large specialist resourced provision (SRP) for pupils with profound, severe and complex needs.

1.2 In 2018 the school was expanded by 1FE (to 3FE) via a second site (Richmond Way) to support the need for additional primary school places within the Whitfield Urban Expansion (WUE).

[Decisions for issue 16/00032 - Proposal to expand Whitfield Aspen School by 1FE across a split site \(kent.gov.uk\)](#)

- 1.3 Expansion of the school has been phased. Phase one delivered the core infrastructure required by a 2FE school (library, offices, meeting rooms, food technology etc). Sufficient classroom accommodation was provided to enable the school to grow year on year to 3FE in the mainstream and to offer 112 places in the SRP, the maximum number of specialist places that was required. Phase two was planned to be the addition of a two-storey block of eight additional mainstream classrooms. This was to be added when 4FE of mainstream provision was required.
- 1.4 The rise in EHCPs and the need for specialist primary provision in Dover over a number of years has led to more pupils requiring a place in the SRP than was initially planned. As of January 2024, there were 175 pupils on roll in the SRP across both sites. As noted, the current accommodation (across both school sites) was built to provide for 112 SRP pupils. Having to accommodate c63 additional pupils in the SRP has reduced the number of mainstream classrooms available. At an average of 12 pupils per SRP class base it means 5 of the additional mainstream classrooms are being utilised by the SRP. As things stand, four of these classrooms will be required from September 2025 to enable the school to continue to admit 3FE of mainstream pupils as they are required to do.

## **2. The Proposal**

- 2.1 It is proposed to build the planned two-storey block containing eight mainstream classrooms, but only fit out the ground floor at this stage, with the second floor remaining as a shell to be fitted out when required. The block to be built for September 2025 to enable the school to expand to 3FE as per the previous statutory decision. The block has planning permission.
- 2.2 The Quantity Surveyor has considered this option and forecasts the 'most likely' cost to be c£2,436,000, with the upper cost of c£2,800,000. The economies of scale provide greater value for money than designing a four classroom solution and seeking planning permission for this (see options considered below).
- 2.4 Although the eight classrooms are not required currently, this would seem to be the best option in order to secure additional classrooms for September 2025 as required. Any change to the current permitted plans will require a new planning application adding up to 12 weeks to the delivery timeline. This will lead to the school being short of accommodation for September 2025 and temporary accommodation being required.

## **3. Timing of future expansion to 4FE.**

- 3.1 Current forecasts would suggest a small deficit of Year R places (less than 3) across the Whitfield and Dover North planning group from 2026-27. This can be managed if the additional classrooms are added at Whitfield Aspen as proposed.
- 3.2 The expansion to 4FE would not be expected until the end of the decade or into the next. This would be driven by the rate of housing delivery across the Whitfield Urban Expansion.

## **4. Alternative options considered and rejected.**

- 4.1 A number of alternative options have been considered at a high level. Cost have been provided for each of the options within a range of 'most likely' and 'upper limit.'
- 4.2 Option 2: Build and fully fit out eight classrooms as originally planned. The 'most likely' cost is c£3,150,000 with the 'upper limit' of c£3,600,000. This is in line with the current planning permission, and the economies of scale would provide greater value for money. However, currently, expansion to 4FE is not required. The upper limit cost is c£800,000 more than the proposal. This would divert further basic need and high needs capital away from other needed schemes within the capital programme. Additionally, the school would need to maintain from its revenue budget four classrooms which are not currently required.
- 4.3 Option 3: Build a two-storey block containing four classrooms. The Quantity Surveyor has considered this option and forecasts the 'most likely' cost to be £1,900,000, with the upper cost of c£2,250,000. It will minimise the footprint and therefore the costs. The design will need to be such as to enable further classrooms to be added. Further design work will be required before this proposal can be finalised and planning permission will need to be secured as this will be a significant change to the existing planning permission. These processes would add up to 12 weeks to the delivery timeline with the additional classrooms not being ready for September 2025. The capital cost saving at this point would be £550k, but revenue costs of temporary accommodation of c£370k would be incurred. The total capital and revenue cost being up to c£2,620,000.
- 4.4 Option 4: Build four single storey classrooms at a 'most likely' cost of c£1,735,000, with an 'upper limit' of c£2,000,000. Whilst this will reduce costs at this point, there is a significant risk that the larger footprint could inhibit further classrooms being added to take the school to 4FE. This option was therefore discounted.
- 4.5 Option 5: Reduce the numbers in the SRP by not offering places in Year R or additional places in other year groups for the next two academic years. This was considered for two reasons. First, the opening of the satellite of The Beacon School in Walmer is increasing the number of special school places in the district. However, the current provision operating at Walmer (the Compass Centre) already provides for Year R and KS1. The main building comes online in September 2025. This will provide the planned accommodation for KS2-4. Second, the significant amount of work being undertaken to build capacity in mainstream schools to support children and young people with SEN should reduce the dependence on specialist provision. However, this will take time to embed and build parental confidence. Therefore, it is not feasible to restrict the numbers of pupils in the SRP at Whitfield Aspen at this time.
- 4.6 Option 6: Do nothing. This would mean that the school could not accommodate 3FE of mainstream pupils in line with their published admissions number and the public notice regarding the expansion of the school of May 2016. An application for an in-year variation to the admissions arrangements would be required.

**5. How the proposed decision supports Framing Kent's Future 2022-2026:**

- 5.1 The proposal will support Priorities 1 and 2 of Framing Kent's Future 2022-26 – "The commitment to maintain KCC's strategic role in supporting schools in Kent to deliver accessible, high quality education provision for all families."

**6. How the proposed decision supports Securing Kent's Future 2022-2026:**

- 6.1 The proposed decision will support **Objective 1: Bringing the 2023/24 budget back into balance**. Not delivering the proposal would require option 5 above to be implemented, with the revenue costs required to purchase places in the Non-Maintained Independent Sector, and the associated cost to the SEND transport budget.

**7. Financial Implications**

7.1 Capital:

The proposal has been reviewed by a Quantity Surveyor. The capital cost is estimated to be an 'upper cost' of c£2,800,000. The standalone four class option has been costed at £2,250,000 (upper cost) therefore it is considered reasonable for this value to be funded by the High Needs Capital Budget, with the remaining £550,000 coming from the Basic Need Budget to fund the shell of the four first floor classrooms. The future fit out costs for the four classrooms (£800,000 at the upper cost) would be subject to a separate proposal when required.

The Schools' Capital Budget agreed by the Council in February 2024, included a provisional allocation of up to £6m basic need funding to support the expansion of the school from 3 to 4FE. The basic need and high needs capital programme budgets will be updated to reflect the changes outlined in this paper. The Department of Education have recently confirmed additional high needs capital allocations for 2024-25. This funding will be used to fund the £2.2m additional high needs commitment. The resulting savings from the Basic Need element of the programme will be reallocated or held as a contingency.

In addition, a standard payment of £2,500 is provided to a school for each new classroom for ICT equipment. This will be funded from the allocated capital budget.

- 7.2 Revenue: There are no expected revenue costs to be funded from the Council's general fund (such as temporary mobiles). The Dedicated Schools Grant Growth fund, ring-fenced grant from the Department of Education, will be used for the £6,000 classroom set up contribution for each of the four fitted out classrooms.

Should the scheme not proceed through to completion, any costs incurred at the time of cessation would become abortive costs and are likely to be recharged to Revenue. This would be reported through the regular financial monitoring reports to Cabinet.



## **8. Legal Implication**

- 8.1 Planning permission exists for an eight classroom block. If there is a change to the current plans, a planning application will be required.
- 8.2 Kent County, as the Local Authority, is responsible for ensuring sufficient school places. In May 2016, the County Council published its statutory proposal to expand Whitfield Aspen School to 3FE across two sites. It has a duty to provide the accommodation necessary to implement that proposal. The increase in the number of pupils in the SRP and consequential loss of mainstream classrooms means further accommodation must be provided to fully implement the proposal.

## **9. Views of Local Member**

- 9.1 Cllr David Beaney, Dover West

## **10. Equalities Impact Assessment**

- 10.1 An Equalities Impact Assessment has been completed and no negative impact on protected groups has been identified.

## **11. Conclusion**

- 11.1 The SRP at Whitfield Aspen Primary School currently has c63 more pupils than was planned for. This has led to classrooms intended for expansion of the mainstream school being used for specialist provision. Four mainstream classrooms are required from September 2025 to enable the school to continue to admit 3FE of mainstream pupils and provide places for 175 SRP pupils.
- 11.2 The proposal to build the planned 8 classroom block, with four classrooms fitted out represents the best value for money and ensures delivery by September 2025. Funding has been allocated from the high needs and basic needs capital budgets to deliver this proposal, if approved.

## **12. Recommendation(s)**

The Children's, Young People and Education Committee is asked to CONSIDER and ENDORSE, or MAKE RECOMMENDATIONS to the Cabinet Member for Education and Skills on the proposal to:

- (i). Approve the allocation of up to £2,800,000 of capital funding from the CYPE capital budget to add an eight classroom block at Whitfield Aspen Primary School (Richmond Way site);
- (ii). Delegate authority to the Director of Infrastructure in consultation with the Director of Education to enter into any necessary contracts or other legal agreements as required to implement this decision; and
- (iii). Authorise the Director of Infrastructure to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts.

## **13. Background Documents (plus links to document)**

- 13.1 The report to The Education and Young People's Services Cabinet Committee 11 May 2016: Proposal to expand Whitfield Aspen School initially by 1 FE across a split site

<https://democracy.kent.gov.uk:9071/documents/s65115/B1%20-%20RGKA%20APP%20Whitfield.pdf>

- 13.2 Report to CYPECC 13 September 2022: Additional funding required in relation to the expansion of Whitfield Aspen Primary School (Dover) onto a satellite site

<https://democracy.kent.gov.uk:9071/documents/s113566/Report.pdf>

#### **14. Contact details**

Report Author

David Adams  
Assistant Director Education (South Kent)  
03000 414989  
david.adams@kent.gov.uk

Relevant Director:

Christine McInnes  
Director Education and Skills  
03000 418913  
christine.mcinnnes@kent.gov.uk

# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

## DECISION TO BE TAKEN BY:

Rory Love, Cabinet Member for Education and Skills

## DECISION NO:

24/00040

**For publication** [Do not include information which is exempt from publication under schedule 12a of the Local Government Act 1972]

### Key decision: YES

*Key decision criteria. The decision will result in savings or expenditure which is significant having regard to the budget for the service or function (currently defined by the Council as in excess of £1,000,000)*

### Subject Matter / Title of Decision

**Proposal to add an eight classroom block with four finished classrooms at Whitfield Aspen Primary School (Richmond Way site)**

### Decision:

As Cabinet Member for Education and Skills, I agree to:

- (i). Approve the allocation of up to £2,800,000 of capital funding from the CYPE capital budget to add an eight classroom block at Whitfield Aspen Primary School (Richmond Way site);
- (ii). Delegate authority to the Director of Infrastructure in consultation with the Director of Education to enter into any necessary contracts or other legal agreements as required to implement this decision; and
- (iii). Authorise the Director of Infrastructure to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts.

### Reason(s) for decision:

#### Background

Whitfield Aspen Primary School is a 3FE primary school with a large specialist resourced provision (SRP) for pupils with profound, severe and complex needs.

In In 2018 the school was expanded by 1FE (to 3FE) via a second site (Richmond Way) to support the need for additional primary school places within the Whitfield Urban Expansion (WUE).

[Decisions for issue 16/00032 - Proposal to expand Whitfield Aspen School by 1FE across a split site \(kent.gov.uk\)](#)

Expansion of the school has been phased. Phase one delivered the core infrastructure required by a 2FE school (library, offices, meeting rooms, food technology etc). Sufficient classroom accommodation was provided to enable the school to grow year on year to 3FE in the mainstream and to offer 112 places in the SRP, the maximum number of specialist places that was required. Phase two was planned to be the addition of a two-storey block of eight additional mainstream classrooms. This was to be added when 4FE of mainstream provision was required.

The rise in EHCPs and the need for specialist primary provision in Dover over a number of

years has led to more pupils requiring a place in the SRP than was initially planned. As of January 2024, there were 175 pupils on roll in the SRP across both sites. As noted, the current accommodation (across both school sites) was built to provide for 112 SRP pupils. Having to accommodate c63 additional pupils in the SRP has reduced the number of mainstream classrooms available. At an average of 12 pupils per SRP class base it means 5 of the additional mainstream classrooms are being utilised by the SRP. As things stand, four of these classrooms will be required from September 2025 to enable the school to continue to admit 3FE of mainstream pupils as they are required to do.

Although the eight classrooms are not required currently, this would seem to be the best option in order to secure additional classrooms for September 2025 as required. Any change to the current permitted plans will require a new planning application adding up to 12 weeks to the delivery timeline. This will lead to the school being short of accommodation for September 2025 and temporary accommodation being required.

A number of options to deliver the accommodation required have been considered at a high level. Cost have been provided for each of the options within a range of 'most likely' and 'upper limit.' The cost of the preferred option is outlined below.

#### **The proposal will support Priorities 1 and 2 of Framing Kent's Future 2022-26:**

The proposal will support Priorities 1 and 2 of Framing Kent's Future 2022-26 – "The commitment to maintain KCC's strategic role in supporting schools in Kent to deliver accessible, high quality education provision for all families."

#### **How the proposed decision supports Securing Kent's Future 2022-2026:**

The proposed decision will support Objective 1: Bringing the 2023/24 budget back into balance. Not delivering the proposal would require KCC to purchase places in the Non Maintained Independent Sector, with the revenue costs required to purchase places and associated cost to the SEND transport budget.

#### **Financial Implications**

Capital: The proposal has been reviewed by a Quantity Surveyor. The capital cost is estimated to be an 'upper cost' of c£2,800,000. The standalone four class option has been costed at £2,250,000 (upper cost) therefore it is considered reasonable for this value to be funded by the High Needs Capital Budget, with the remaining £550,000 coming from the Basic Need Budget to fund the shell of the four first floor classrooms. The future fit out costs for the four classrooms (£800,000 at the upper cost) would be subject to a separate proposal when required.

The Schools' Capital Budget agreed by the Council in February 2024, included a provisional allocation of up to £6m basic need funding to support the expansion of the school from 3 to 4FE. The basic need and high needs capital programme budgets will be updated to reflect the changes outlined in this paper. The Department of Education have recently confirmed additional high needs capital allocations for 2024-25. This funding will be used to fund the £2.2m additional high needs commitment. The resulting savings from the Basic Need element of the programme will be reallocated or held as a contingency.

In addition, a standard payment of £2,500 is provided to a school for each new classroom for ICT equipment. This will be funded from the allocated capital budget.

Revenue: There are no expected revenue costs to be funded from the Council's general fund (such as temporary mobiles). The Dedicated Schools Grant Growth fund, ring-fenced grant from the Department of Education, will be used for the £6,000 classroom set up contribution for each of the four fitted out classrooms.

Should the scheme not proceed through to completion, any costs incurred at the time

of cessation would become abortive costs and are likely to be recharged to Revenue. This would be reported through the regular financial monitoring reports to Cabinet.

### **Legal Implication**

Planning permission exists for an eight classroom block. If there is a change to the current plans, a planning application will be required.

Kent County, as the Local Authority, is responsible for ensuring sufficient school places. In May 2016, the County Council published its statutory proposal to expand Whitfield Aspen School to 3FE across two sites. It has a duty to provide the accommodation necessary to implement that proposal. The increase in the number of pupils in the SRP and consequential loss of mainstream classrooms means further accommodation must be provided to fully implement the proposal.

### **Equalities Implications**

An EIA has been completed and no negative impact on protected groups has been identified.

### **DPIA**

A DPIA was not required.

### **Cabinet Committee recommendations and other consultation:**

The Children's, Young People and Education Cabinet Committee consider the decision on 11 May 2024.

The view of the Local Member has been sought.

### **Any alternatives considered and rejected:**

Several options were considered including:

- **Building out a two-storey eight classroom block fully fitting all classrooms-** The 'most likely' cost is c£3,150,000 with the 'upper limit' of c£3,600,000. This is in line with the current planning permission, and the economies of scale would provide greater value for money. However, currently, expansion to 4FE is not required. The upper limit cost is c£800,000 more than the proposal. This would divert further basic need and high needs capital away from other needed schemes within the capital programme. Additionally, the school would need to maintain from its revenue budget four classrooms which are not currently required.
- **Building out a two-storey four classroom block-** The Quantity Surveyor has considered this option and forecasts the 'most likely' cost to be £1,900,000, with the upper cost of c£2,250,000. It will minimise the footprint and therefore the costs. The design will need to be such as to enable further classrooms to be added. Further design work will be required before this proposal can be finalised and planning permission will need to be secured as this will be a significant change to the existing planning permission. These processes would add up to 12 weeks to the delivery timeline with the additional classrooms not being ready for September 2025. The capital cost saving at this point would be £550k, but revenue costs of temporary accommodation of c£370k would be incurred. The total capital and revenue cost being up to c£2,620,000.
- **Building out four classrooms as a single storey-** Build four single storey classrooms at a 'most likely' cost of c£1,735,000, with an 'upper limit' of c£2,000,000. Whilst this will reduce costs at this point, there is a significant risk that the larger footprint could inhibit further classrooms being added to take the school to 4FE.
- **Reduce the numbers in the SRP by not offering places in Year R or additional places in other year groups for the next two academic years.** - This was considered for two reasons. First, the opening of the satellite of The Beacon School in Walmer is increasing the number of special school places in the district. However, the current provision operating at Walmer (the Compass Centre) already provides for Year

R and KS1. The main building comes online in September 2025. This will provide the planned accommodation for KS2-4. Second, the significant amount of work being undertaken to build capacity in mainstream schools to support children and young people with SEN should reduce the dependence on specialist provision. However, this will take time to embed and build parental confidence. Therefore, it is not feasible to restrict the numbers of pupils in the SRP at Whitfield Aspen at this time.

- **Do nothing.** This would mean that the school could not accommodate 3FE of mainstream pupils in line with their published admissions number and the public notice regarding the expansion of the school of May 2016. An application for an in-year variation to the admissions arrangements would be required..

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

.....  
signed

.....  
date

## EQIA Submission – ID Number

### Section A

**EQIA Title**

Proposal to add an eight classroom block at Whitfield Aspen Primary School (Richmond Way site)

**Responsible Officer**

Lee Round - CY EPA

**Approved by (Note: approval of this EqIA must be completed within the EqIA App)**

David Adams - CY EPA

### Type of Activity

**Service Change**

No

**Service Redesign**

No

**Project/Programme**

Project/Programme

**Commissioning/Procurement**

No

**Strategy/Policy**

No

**Details of other Service Activity**

No

### Accountability and Responsibility

**Directorate**

Children Young People and Education

**Responsible Service**

Planning and Access

**Responsible Head of Service**

David Adams - CY EPA

**Responsible Director**

Christine McInnes - CY EPA

### Aims and Objectives

**Aim:**

The aim of the project is to add 8 classrooms (4 fitted out) to Whitfield Aspen Primary School (Richmond Way site). This will ensure that there is sufficient accommodation to enable the school to expand to 3FE (as has been agreed) whilst continuing to offer the number of specialist places currently available in the specialist resourced provision (SRP).

**Context:**

In 2018 the school was expanded by 1FE (to 3FE) via a second site (Richmond Way) to support the need for additional primary school places within the Whitfield Urban Expansion (WUE).

Decisions for issue 16/00032 - Proposal to expand Whitfield Aspen School by 1FE across a split site (kent.gov.uk)

Expansion of the school has been phased. Phase one delivered the core infrastructure required by a 2FE school (library, offices, meeting rooms, food technology etc). Sufficient classroom accommodation was provided to enable the school to grow year on year to 3FE in the mainstream and to offer 112 places in the SRP, the maximum number of specialist places that was required. Phase two was planned to be the addition of a two-storey block of eight additional mainstream classrooms. This was to be added when 4FE

of mainstream provision was required.

The rise in EHCPs and the need for specialist primary provision in Dover over a number of years has led to more pupils requiring a place in the SRP than was initially planned. As of January 2024, there were 175 pupils on roll in the SRP across both sites. As noted, the current accommodation (across both school sites) was built to provide for 112 SRP pupils. Having to accommodate c63 additional pupils in the SRP has reduced the number of mainstream classrooms available. At an average of 12 pupils per SRP class base it means 5 of the additional mainstream classrooms are being utilised by the SRP. As things stand, four of these classrooms will be required from September 2025 to enable the school to continue to admit 3FE of mainstream pupils as they are required to do,

## Section B – Evidence

**Do you have data related to the protected groups of the people impacted by this activity?**

Yes

**It is possible to get the data in a timely and cost effective way?**

Yes

**Is there national evidence/data that you can use?**

Yes

**Have you consulted with stakeholders?**

Not Applicable

**Who have you involved, consulted and engaged with?**

The expansion of the school has already been consulted on and has been approved. This is only the addition of classrooms to enable the expansion to move forward as already agreed.

**Has there been a previous Equality Analysis (EQIA) in the last 3 years?**

Yes

**Do you have evidence that can help you understand the potential impact of your activity?**

Yes

## Section C – Impact

**Who may be impacted by the activity?**

**Service Users/clients**

Service users/clients

**Staff**

Staff/Volunteers

**Residents/Communities/Citizens**

Residents/communities/citizens

**Are there any positive impacts for all or any of the protected groups as a result of the activity that you are doing?**

Yes

**Details of Positive Impacts**

Disability: The specialist resource provision (SRP) supports pupils with profound, complex or severe needs. Many if not all the pupils in the SRP will be classified as having a disability. The addition of the 4 classroom block will ensure that the number of places available in the SRP will continue to be available.

**Negative impacts and Mitigating Actions**

19.Negative Impacts and Mitigating actions for Age

**Are there negative impacts for age?**

No

**Details of negative impacts for Age**

Not Applicable

**Mitigating Actions for Age**



Not Applicable
<b>Responsible Officer for Mitigating Actions – Age</b>
Not Applicable
<b>20. Negative impacts and Mitigating actions for Disability</b>
<b>Are there negative impacts for Disability?</b>
No
<b>Details of Negative Impacts for Disability</b>
Not Applicable
<b>Mitigating actions for Disability</b>
Not Applicable
<b>Responsible Officer for Disability</b>
Not Applicable
<b>21. Negative Impacts and Mitigating actions for Sex</b>
<b>Are there negative impacts for Sex</b>
No
<b>Details of negative impacts for Sex</b>
Not Applicable
<b>Mitigating actions for Sex</b>
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<b>Mitigating actions for Pregnancy and Maternity</b>
Not Applicable
<b>Responsible Officer for mitigating actions for Pregnancy and Maternity</b>
Not Applicable
<b>27. Negative impacts and Mitigating actions for Marriage and Civil Partnerships</b>
<b>Are there negative impacts for Marriage and Civil Partnerships</b>
No
<b>Negative impacts for Marriage and Civil Partnerships</b>
Not Applicable
<b>Mitigating actions for Marriage and Civil Partnerships</b>
Not Applicable
<b>Responsible Officer for Marriage and Civil Partnerships</b>
Not Applicable
<b>28. Negative impacts and Mitigating actions for Carer's responsibilities</b>
<b>Are there negative impacts for Carer's responsibilities</b>
No
<b>Negative impacts for Carer's responsibilities</b>
Not Applicable
<b>Mitigating actions for Carer's responsibilities</b>
Not Applicable
<b>Responsible Officer for Carer's responsibilities</b>
Not Applicable

From: **Sarah Hammond, Corporate Director for Children, Young People and Education**

**Rory Love, Cabinet Member for Education and Skills**

To: **Children's, Young People and Education Cabinet Committee 16 May 2024**

Subject: 24/00039 Modernisation project - replace temporary classrooms and hall at Langdon Primary School, Dover

Key Decision: It involves expenditure or savings exceeding £1m

Classification: **Unrestricted**

**Past Pathway of Paper:** None

**Future Pathway of Paper:** Cabinet Member – Education and Skills

**Electoral Division:** Dover North

**Summary:**

This report informs Members of the proposal to modernise accommodation at Langdon Primary School, Dover, by replacing a modular classroom and a wooden hall and classroom.

**Recommendation(s):**

The Children's, Young People and Education Committee is asked to CONSIDER and ENDORSE, or MAKE RECOMMENDATIONS to the Cabinet Member for Education and Skills on the proposal to:

- (i). Approve the allocation of £1,430,000 capital funding from the Children's, Young People and Education modernisation capital budget to replace the modular classroom and wooden hall/classroom at Langdon Primary School;
- (ii). Delegate authority to the Director of Infrastructure in consultation with the Director of Education to enter into any necessary contracts or other legal agreements as required to implement this decision; and
- (iii). Authorise the Director of Infrastructure to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts.

## **1. Background**

1.1 Langdon Primary School is a small primary school in Dover District with a PAN of 15. It is a popular school which serves a rural community. For September 2024, there 36 preferences in total with 14 places allocated. We would expect the Yr. R to be full for September 2024.

1.2 The school has a 4 class structure. Two classrooms are in the main school building, one is in a standalone modular building and the further classroom

is within a wooden building which also contains the hall/dining space and the kitchen servery.

- 1.3 Despite the school maintaining both buildings, the condition surveys undertaken by KCC and the Department of Education in 2021 and 2022 respectively confirm that the buildings have reached the end of their usable life and need to be replaced. Further maintenance is not an option.

## 2. The proposal

- 2.1 To replace the buildings with a bespoke modular solution. A feasibility study has identified this as this is the most straightforward and economically viable solution. This will cost £1,500,000 (capital and revenue) with a construction period of 29 weeks.

- 2.2 This solution would give the school the following:

Area	Current size	Replacement size	BB103 guidance
Standalone modular classroom	46m <sup>2</sup>	56.6m <sup>2</sup>	55m <sup>2</sup>
Classroom in wooden building	40m <sup>2</sup>	56.2m <sup>2</sup>	55m <sup>2</sup>
Hall in wooden building	66m <sup>2</sup>	100m <sup>2</sup>	100m <sup>2</sup>
Servery in wooden building	10m <sup>2</sup>	17m <sup>2</sup>	15m <sup>2</sup>
WCs	16m <sup>2</sup>	9m <sup>2</sup>	12m <sup>2</sup>

- 2.3 The current classrooms, hall and servery are significantly undersized when compared to the current Department for Education Building Bulletin Guidance (BB103). The efficient design of the replacement modular solution has brought the classroom, hall and servery in line with BB103. The size of the replacement WCs is less than the current provision and are under the BB103 guidance. However, the school has sufficient WCs across the school as a whole. The number of and design of the WC has been agreed with the School.

- 2.4 A planning application has been submitted for the proposal. No objections were received, and no changes have been required which will necessitate an increase in the proposed budget.

## 3. Alternative options considered and rejected.

- 3.1 Traditional brick building - The costs of delivering a traditional brick building of comparable size were higher at c£1,760,000. However, the construction preliminaries were difficult to, plus there would have been a requirement to remove 3 mature oak trees and to relocate the school gas tank, all of which would have further increased the costs. The construction period was expected to be c40 weeks which is significantly longer than for the bespoke modular build increasing disruption to the school and residents.

3.2 Standard Modular classrooms - The initial feasibility suggested that the installation of standalone prefabricated standard modular buildings would have reduced costs by c£250,000. However, a more detailed feasibility demonstrated that there is insufficient room on the site to install such building. In addition, there are access constraints to the site which do not allow access to the articulated vehicles and mobile cranes that would be required to install such buildings.

#### **4. How the proposed decision supports Framing Kent's Future 2022-2026:**

4.1 The proposal will support Priorities 1 and 2 of Framing Kent's Future 2022-26:

- Maintain our support for rural maintained primary schools, recognising the wider role they play in local communities.
- The commitment to maintain KCC's strategic role in supporting schools in Kent to deliver accessible, high quality education provision for all families.

#### **5. How the proposed decision supports Securing Kent's Future 2022-2026:**

5.1 Replacing the buildings with a bespoke modular solution is the most cost effective solution.

#### **6. Financial Implications**

6.1 Capital: The proposed works have been taken to RIBA stage 3 and are estimated at £1,430,000. Planning permission has been granted and all surveys have been completed. The proposal was first recognised and added to the Modernisation Programme for the 2023-24 academic year, and as a result this sum has been included within the modernisation school capital programme that was recently agreed by the Council as part of the Medium Term Financial Plan for 2024-27.

6.2 Revenue: A total of £70,000 revenue funding is required to provide one temporary mobile classroom for the duration of the building works. This was not known at the time of setting the 2024-25 revenue budget and so will be reported as an unfunded pressure on the revenue budget in the Cabinet financial monitoring report during 2024-25. The Directorate are looking at ways they may be able to offset this unplanned spend with other possible underspends either within the mobile budget or within the wider Education budget

Should the scheme not proceed through to completion, any costs incurred at the time of cessation would become abortive costs and are likely to be recharged to Revenue. This would be reported through the regular financial monitoring reports to Cabinet.

#### **7. Legal Implications**

7.1 It will be necessary to secure licenses to come over third party land and discussions to secure these are well advanced.

7.2 Planning permission has been granted.

## **8. View of the Local Member**

8.1 Cllr Steve Manion, Dover North

I am pleased to see that this rural school is getting this much needed investment.

## **9. Equalities Impact Assessment**

9.1 An Equalities Impact Assessment has been completed and no negative impact on protected groups has been identified.

## **10. Conclusion**

10.1 The standalone modular building and the wooden building containing a classroom/hall/dining space/ kitchen servery have reached the end of their usable life and need to be replaced. Further maintenance is not an option. Replacing the buildings with a bespoke modular solution has been identified as the is the most straightforward and economically viable solution.

## **11. Recommendation(s)**

The Children's, Young People and Education Committee is asked to CONSIDER and ENDORSE, or MAKE RECOMMENDATIONS to the Cabinet Member for Education and Skills on the proposal to:

- (i). Approve the allocation of £1,430,000 capital funding from the Children's, Young People and Education modernisation capital budget to replace the modular classroom and wooden hall/classroom at Langdon Primary School;
- (ii). Delegate authority to the Director of Infrastructure in consultation with the Director of Education to enter into any necessary contracts or other legal agreements as required to implement this decision; and
- (iii). Authorise the Director of Infrastructure to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts.

## **12. Background Documents (plus links to document)**

12.1 None

## **13. Contact details**

### Report Author

David Adams  
Area Education Officer (South Kent)  
03000414989  
david.adams@kent.gov.uk

### Relevant Director:

Christine McInnes  
Director Education and Skills  
03000418913  
christine.mcinnnes@kent.gov.uk

# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

## DECISION TO BE TAKEN BY:

Rory Love, Cabinet Member for Education and Skills

## DECISION NO:

24/00039

**For publication** [Do not include information which is exempt from publication under schedule 12a of the Local Government Act 1972]

## Key decision: YES

*Key decision criteria. The decision will result in savings or expenditure which is significant having regard to the budget for the service or function (currently defined by the Council as in excess of £1,000,000)*

## Subject Matter / Title of Decision

**Modernisation project- to replace temporary classrooms and hall at Langdon Primary School, Dover**

## Decision:

As Cabinet Member for Education and Skills, I agree to:

- (i). Approve the allocation of £1,430,000 capital funding from the Children's, Young People and Education modernisation capital budget to replace the modular classroom and wooden hall/classroom at Langdon Primary School;
- (ii). Delegate authority to the Director of Infrastructure in consultation with the Director of Education to enter into any necessary contracts or other legal agreements as required to implement this decision; and
- (iii). Authorise the Director of Infrastructure to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts.

## Reason(s) for decision:

### Background

Langdon Primary School is a small primary school in Dover District with a PAN of 15. It is a popular school which serves a rural community. For September 2024, there 36 preferences in total with 14 places allocated. We would expect the Yr. R to be full for September 2024.

Two classrooms are in the main school building, two are in modular/wooden buildings. The modular/wooden buildings have reached the end of their usable life.

Despite the school maintaining both buildings, the condition surveys undertaken by KCC and the Department of Education and in 2021 and 2022 respectively confirm that the buildings have reached the end of their usable life and need to be replaced. Further maintenance is not an option.

Replacing the buildings with a bespoke modular solution has been identified as the is the most straightforward and economically viable solution. This will cost £1,500,000 (capital and revenue) with a construction period of 29 weeks.

### The proposal will support Priorities 1 and 2 of Framing Kent's Future 2022-26:

- Maintain our support for rural maintained primary schools, recognising the wider role they

play in local communities.

- The commitment to maintain KCC's strategic role in supporting schools in Kent to deliver accessible, high quality education provision for all families.

#### **How the proposed decision supports Securing Kent's Future 2022-2026:**

- Replacing the buildings with a bespoke modular solution is the most cost effective solution.

#### **Financial Implications**

**Capital:** The proposed works have been taken to RIBA stage 3 and are estimated at £1,430,000. Planning permission has been granted and all surveys have been completed. The proposal was first recognised and added to the Modernisation Programme for the 2023-24 academic year, and as a result this sum has been included within the modernisation school capital programme that was recently agreed by the Council as part of the Medium Term Financial Plan for 2024-27.

**Revenue:** A total of £70,000 revenue funding is required to provide one temporary mobile classroom for the duration of the building works. This was not known at the time of setting the 2024-25 revenue budget and so will be reported as an unfunded pressure on the revenue budget in the Cabinet financial monitoring report during 2024-25. The Directorate are looking at ways they may be able to offset this unplanned spend with other possible underspends either within the mobile budget or within the wider Education budget

Should the scheme not proceed through to completion, any costs incurred at the time of cessation would become abortive costs and are likely to be recharged to Revenue. This would be reported through the regular financial monitoring reports to Cabinet

#### **Legal Implication**

It will be necessary to secure licenses to come over third party land and discussions to secure these are well advanced.

Planning permission has been granted.

#### **Equalities Implications**

An EIA has been completed and no negative impact on protected groups has been identified.

#### **DPIA**

A DPIA was not required.

#### **Cabinet Committee recommendations and other consultation:**

The Children's and Young People Cabinet Committee consider the decision on 06 March 2024.

The view of the Local Member have been sought and he is in approval of the proposal.

The planning application for the works has been granted.

The proposal has been approved via the officer level Education Asset Board for inclusion in the Modernisation Programme for the 2023-24 academic year, and thus is accounted for in the medium term financial plan.

#### **Any alternatives considered and rejected:**

The costs delivering a traditional brick building of comparable size were higher at c£1,760,000 and there were significant risks these costs would increase due to construction preliminaries, a requirement to remove 3 mature oak trees and the need to relocate the school gas tank. In addition the construction period of c40 weeks was significantly longer than for the bespoke modular build,



increasing disruption to the school and residents.

Early feasibilities suggested that the installation of standalone prefabricated standard modular buildings would have reduced costs by c£250,000. However, a more detailed feasibility demonstrated that there is insufficient room on the site to install such building. In addition, there were access restraints to the site which would not allow access to the articulated vehicles and mobile cranes that would be required to install such buildings.

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

.....  
signed

.....  
date

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## EQIA Submission – ID Number

### Section A

**EQIA Title**

Modernisation project at Langdon Church of England Primary School- Dover

**Responsible Officer**

Lee Round - CY EPA

### Type of Activity

**Service Change**

No

**Service Redesign**

No

**Project/Programme**

Project/Programme

**Commissioning/Procurement**

No

**Strategy/Policy**

No

**Details of other Service Activity**

No

### Accountability and Responsibility

**Directorate**

Children Young People and Education

**Responsible Service**

Provision, Planning and Access

**Responsible Head of Service**

David Adams - CY EPA

**Responsible Director**

Christine McInnes - CY EPA

### Aims and Objectives

Langdon CE Primary School is a small primary school in Dover District with a PAN of 15. The school has a 4 classroom structure. Two classrooms are in the main school building, two are in a modular/wooden building. These buildings have reached the end of their usable life.

Despite the school maintaining both buildings, the condition surveys undertaken by KCC and the Department of Education in 2021 and 2022 respectively, confirm that the buildings need to be replaced. Further maintenance is not an option.

The aim is to replace the buildings with a bespoke modular solution.

In order to deliver the project the proposal is to:

- (i). Approve the allocation of £1,430,000 capital funding from the Children's, Young People and Education modernisation capital budget to replace the modular classroom and wooden hall/classroom at Langdon Primary School;
- (ii). Delegate authority to the Director of Infrastructure in consultation with the Director of Education to enter into any necessary contracts or other legal agreements as required to implement this decision; and
- (iii). Authorise the Director of Infrastructure to be the nominated Authority Representative within the relevant agreements and to enter into variations approved under the contracts.

No negative impact on protected groups has been identified.

## Section B – Evidence

**Do you have data related to the protected groups of the people impacted by this activity?**

Yes

**It is possible to get the data in a timely and cost effective way?**

Yes

**Is there national evidence/data that you can use?**

Yes

**Have you consulted with stakeholders?**

Yes

**Who have you involved, consulted and engaged with?**

The School Leadership and Governing Body have been engaged in decisions around the scope and design of the building being constructed.

A planning application has been completed which anyone can comment on.

Local residents have been informed of the plans.

**Has there been a previous Equality Analysis (EQIA) in the last 3 years?**

No

**Do you have evidence that can help you understand the potential impact of your activity?**

Yes

## Section C – Impact

**Who may be impacted by the activity?**

**Service Users/clients**

Service users/clients

**Staff**

Staff/Volunteers

**Residents/Communities/Citizens**

Residents/communities/citizens

**Are there any positive impacts for all or any of the protected groups as a result of the activity that you are doing?**

Yes

**Details of Positive Impacts**

The new building will provide a modern and accessible building which will improve access for those with a disability and an improved learning environment

## Negative impacts and Mitigating Actions

19. Negative Impacts and Mitigating actions for Age

**Are there negative impacts for age?**

No. Note: If Question 19a is "No", Questions 19b,c,d will state "Not Applicable" when submission goes for approval

**Details of negative impacts for Age**

Not Completed

**Mitigating Actions for Age**

Not Completed

**Responsible Officer for Mitigating Actions – Age**

Not Completed

20. Negative impacts and Mitigating actions for Disability

<b>Are there negative impacts for Disability?</b>
No. Note: If Question 20a is "No", Questions 20b,c,d will state "Not Applicable" when submission goes for approval
<b>Details of Negative Impacts for Disability</b>
Not Completed
<b>Mitigating actions for Disability</b>
Not Completed
<b>Responsible Officer for Disability</b>
Not Completed
<b>21. Negative Impacts and Mitigating actions for Sex</b>
<b>Are there negative impacts for Sex</b>
No. Note: If Question 21a is "No", Questions 21b,c,d will state "Not Applicable" when submission goes for approval
<b>Details of negative impacts for Sex</b>
Not Completed
<b>Mitigating actions for Sex</b>
Not Completed
<b>Responsible Officer for Sex</b>
Not Completed
<b>22. Negative Impacts and Mitigating actions for Gender identity/transgender</b>
<b>Are there negative impacts for Gender identity/transgender</b>
No. Note: If Question 22a is "No", Questions 22b,c,d will state "Not Applicable" when submission goes for approval
<b>Negative impacts for Gender identity/transgender</b>
Not Completed
<b>Mitigating actions for Gender identity/transgender</b>
Not Completed
<b>Responsible Officer for mitigating actions for Gender identity/transgender</b>
Not Completed
<b>23. Negative impacts and Mitigating actions for Race</b>
<b>Are there negative impacts for Race</b>
No. Note: If Question 23a is "No", Questions 23b,c,d will state "Not Applicable" when submission goes for approval
<b>Negative impacts for Race</b>
Not Completed
<b>Mitigating actions for Race</b>
Not Completed
<b>Responsible Officer for mitigating actions for Race</b>
Not Completed
<b>24. Negative impacts and Mitigating actions for Religion and belief</b>
<b>Are there negative impacts for Religion and belief</b>
No. Note: If Question 24a is "No", Questions 24b,c,d will state "Not Applicable" when submission goes for approval
<b>Negative impacts for Religion and belief</b>
Not Completed
<b>Mitigating actions for Religion and belief</b>
Not Completed
<b>Responsible Officer for mitigating actions for Religion and Belief</b>
Not Completed
<b>25. Negative impacts and Mitigating actions for Sexual Orientation</b>

<b>Are there negative impacts for Sexual Orientation</b>
No. Note: If Question 25a is "No", Questions 25b,c,d will state "Not Applicable" when submission goes for approval
<b>Negative impacts for Sexual Orientation</b>
Not Completed
<b>Mitigating actions for Sexual Orientation</b>
Not Completed
<b>Responsible Officer for mitigating actions for Sexual Orientation</b>
Not Completed
<b>26. Negative impacts and Mitigating actions for Pregnancy and Maternity</b>
<b>Are there negative impacts for Pregnancy and Maternity</b>
No. Note: If Question 26a is "No", Questions 26b,c,d will state "Not Applicable" when submission goes for approval
<b>Negative impacts for Pregnancy and Maternity</b>
Not Completed
<b>Mitigating actions for Pregnancy and Maternity</b>
Not Completed
<b>Responsible Officer for mitigating actions for Pregnancy and Maternity</b>
Not Completed
<b>27. Negative impacts and Mitigating actions for Marriage and Civil Partnerships</b>
<b>Are there negative impacts for Marriage and Civil Partnerships</b>
No. Note: If Question 27a is "No", Questions 27b,c,d will state "Not Applicable" when submission goes for approval
<b>Negative impacts for Marriage and Civil Partnerships</b>
Not Completed
<b>Mitigating actions for Marriage and Civil Partnerships</b>
Not Completed
<b>Responsible Officer for Marriage and Civil Partnerships</b>
Not Completed
<b>28. Negative impacts and Mitigating actions for Carer's responsibilities</b>
<b>Are there negative impacts for Carer's responsibilities</b>
No. Note: If Question 28a is "No", Questions 28b,c,d will state "Not Applicable" when submission goes for approval
<b>Negative impacts for Carer's responsibilities</b>
Not Completed
<b>Mitigating actions for Carer's responsibilities</b>
Not Completed
<b>Responsible Officer for Carer's responsibilities</b>
Not Completed

**From:** Sarah Hammond, Corporate Director of Children, Young People and Education

Rory Love, Cabinet Member for Education and Skills

**To:** Children's, Young People and Education Cabinet Committee 16 May 2024

**Subject:** 24/00041 Proposed expenditure of Blean Primary School Modular Replacement Project exceeding £1m within the Modernisation Programme.

**Key Decision :** It involves expenditure or savings exceeding £1m

**Classification:** Unrestricted

**Past Pathway of report:** N/A

**Future Pathway of report:** Cabinet Member Decision

**Electoral Division:** Canterbury North

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**Is the decision eligible for call-in?** Yes

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**Summary:** This report sets out the proposal to replace two mobile classrooms at Blean Primary School, Whistable Road, Blean, Canterbury, CT2 9ED under the Mobile Replacement Scheme. The current condition of both buildings is impacting on the school's day to day operation and is preventing the school from full utilization of the mobiles due to Health and Safety concerns of the floor collapsing. The proposal is to replace both modulares with a traditional built single storey teaching block with a flat roof structure to include three classrooms.

**Recommendation(s):**

The Children's, Young People and Education Committee is asked to CONSIDER and ENDORSE, or MAKE RECOMMENDATIONS to the Cabinet Member for Education and Skills on the proposal to:

- I. Approve the allocation of £1,440,000 from the Children's, Young People and Education Modernisation Programme Capital Budget to permit the required works for the modular replacement.
  - II. Delegate authority to the Director of Infrastructure to, in consultation with the Director of Education, enter into any necessary contracts or other legal agreements, as required to implement this decision; and
  - III. Agree for the Director of Infrastructure to be the nominated Authority Representative within the relevant agreements, with authority to enter variations as envisaged under the contracts.
-

## **1. Introduction**

- 1.1 The Council, as the relevant Local Authority, is responsible for the maintenance of Community and Voluntary Controlled school buildings in Kent. This responsibility is taken seriously, with continuous maintenance and modernisation programmes in place to ensure that the school estate is fit for purpose. Included within these programmes are routine building checks that identify possible future maintenance issues with accommodation. Currently there is Mobile Replacement Scheme which identifies mobiles which have come to the end of their life and require replacement.

## **2. Key Considerations**

- 2.1 Blean Primary School currently has two modular buildings which are severely dilapidated and have reached the end of their economic lifespan and both require replacement. For economies of scale and to suit operation of the school, it is proposed that both separate units are to be replaced with one new teaching block.

## **3. Background**

- 3.1 Blean Primary School is a 2FE school located in the village of Blean, Canterbury. The school was rated outstanding by Ofsted in March 2022. The current roll of the school is 430 pupils (Spring 2024 School Census data). The school is a popular school and has offered all their reception places (60) for September 2024 intake. It also had 89 1<sup>st</sup> preferences for the school.
- 3.2 Blean Primary School sits within the Canterbury City Primary Planning group and forecasts indicate that there is a continuing need for Blean Primary School to remain as a 2FE primary school. As Canterbury City continues to build out new housing developments additional places will be required in the planning group to meet this need.
- 3.3 The school buildings are two single storey of brick construction built circa 1890 and 1967 with further extensions in 2000, 2003 and 2009 and includes the dilapidated mobiles.
- 3.4 The roof to the modular buildings is a mineral felt, the standard and type of insulation within the roof void would not meet the current building regulations and based on the age of the roof to be at the end of its expected life and would require full replacement. The walls and elevations comprise of studwork walls insulated with mineral wool cavity insulation, clad with cross ply timber sheathing coated with flexible Biomastic paint textured finish. The external envelope of the building has been compromised causing significant timber decay to the plysheets. There are multiple isolated areas where the Biomastic coating is delaminated from the substrate and is exposing the plywood below. To these areas the timber is experiencing significant decay, the decay can also be seen to be spreading to the timber floor joists in some isolated areas, contributing to the floor deflection experienced internally. The external façade is in a very poor condition and due to this water ingress and penetration along with heat loss to the building.



- 3.5 The two mobiles for replacement, mobile 1 was highlighted by the school early last year and raised via FM team which was referred to MW projects team to investigate if repairs could be made to the building. The feasibility recommended that this mobile had reached the end of economic lifespan. The extent of required repairs combined with the poor thermal performance of the buildings construction make the refurbishment of the building economically unviable. Later, following the implementation of the mobile replacement programme, this highlighted that the second mobile on the school site being flagged as 'red' from the mobile inspection as requiring replacement for the same reasons.
- 3.6 The current condition of both buildings is impacting on the school's day to day operation and is preventing the school from full utilisation of the mobiles due to H&S concerns of the floor collapsing. The school are moving spaces and lessons around to suit the spaces and interventions being held in corridors as nowhere else to hold these due to limited areas to use. Using the hall for some occasions instead of the mobile which then impacts any clubs/PE lessons that were using the hall.
- 3.7 The proposal is to replace both modulars with a traditional built single storey teaching block with a flat roof structure to include three classrooms, one of which has kitchen facility, used to teach food technology (DT). Classrooms used for general teaching, music lessons and interventions. Teaching block will also include boys and girls WC's along with an accessible WC.
- 3.8 It is scheduled the works will commence in July 2024 during the Summer Holidays and with a forecast of 26 weeks construction period, completion is proposed for end of January 2025.

#### **4. Options considered and dismissed, and associated risk**

##### **4.1 Option 1 – Do Nothing**

No further temporary repairs are deemed to be effective and water ingress is probable without replacement, we can only do safe, warm and dry for so long. Do Nothing would result in significant loss of teaching space for the school not being usable. Temporary accommodation would be required for displaced pupils and a more significant repair of the building would need to take place due to additional damage further ingress would create. KCC would be at financial loss to keep the mobiles under Safe, Warm and Dry as these mobiles are at end of economic and operational life.

##### **Option 2 – Localised Repairs**

Localised repairs have been undertaken over the last 5 years, there are no further localised repairs that can be carried out. The extent of required repairs combined with the poor thermal performance of the buildings construction make any localised repairs / refurbishment of the buildings economically unviable. This option would risk further water ingress and the associated risk of school closure inline with the above statement.

##### **Option 3 – Proceed with traditional build Replacement**

This would mitigate the risk of any future works being required in response to further water ingress and remove any further potential school closure risks and provide safe teaching environments. This is a long-term measure.

- 4.2 After reviewing the estimated costs, potential risk elements and the key advantages/disadvantages of each option it is recommended that replacement is the only appropriate solution.

## **5. Financial Implications**

- 5.1 The combined cost is estimated at £1,440,000 which is inclusive of works, fees and contingency.

The cost for instructing the winning tender is as follows.

Proposed Tender Costs: £1,063,900.00

Professional Fees: £159,352.00

KCC Contingency: Allowance £216,748

Total Forecast Project = £1,440,000

- 5.2 All costs are expected to be Capital costs only. This is proposed to be funded from the Schools Modernisation Programme Capital Budget and £1.4m was included as part of the capital budget agreed by the County Council in February 2024. It is expected works would commence immediately and completed within 2024-25 financial year.
- 5.3 There are no expected revenue costs associated with this project.
- 5.4 Should the scheme not proceed through to completion, any costs incurred at the time of cessation would become abortive costs and are likely to be recharged to Revenue. This would be reported through the regular financial monitoring reports to Cabinet.

## **6. Legal implications**

- 6.1 KCC, as the Local Authority (LA), has a statutory duty to ensure sufficient school places are available. This duty applies to Special Educational Needs (SEN) provision, as well as mainstream settings. The County Council's Commissioning Plan for Education Provision in Kent 2024 - 28 is a five-year rolling plan which is updated annually. It sets out KCC's future plans as Strategic Commissioner of Education Provision across all types and phases of education in Kent.
- 6.2 KCC has a statutory duty to provide a compliant standard of safety and comfort to staff, children and visitors to the school. KCC also have a statutory duty to provide school places and the implications of not undertaking this work will lead to further deterioration, and ultimately failure which could result in temporary school closure.

6.3 Works will be completed in accordance all statutory building regulations to support KCC with maintaining its statutory duty to provide pupil places.

## **7. Equalities implications**

7.1 The modular replacement scheme will not change the delivery of education with the school and therefore has no equalities implications. The Equality Impact Assessment form has been completed for this proposal.

## **8. Data Protection Implications**

8.1 There are no data protection implications for this proposal and the schools will continue to adhere to Data Protection legislation during the planned works.

## **9. Other corporate implications**

9.1 There are no other corporate implications identified for this proposal.

## **10. Governance**

10.1 Once a key decision is made, Kent County Council's Constitution (Section 10, Executive Scheme of Officer Delegation), provides a clear and appropriate link between this decision and the actions required to implement it.

## **11. Conclusions**

11.1 This proposal will ensure that Blean Primary School has the required classrooms to meet the needs of the school as the current condition of both buildings is impacting on the school's day to day operation and is preventing the school from full utilization of the mobiles due to H&S concerns of the floor collapsing. The school are moving spaces and lessons around to suit the spaces and interventions being held in corridors as nowhere else to hold these due to limited areas to use.

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### **Recommendation(s):**

The Children's, Young People and Education Committee is asked to CONSIDER and ENDORSE, or MAKE RECOMMENDATIONS to the Cabinet Member for Education and Skills on the proposal to:

- I. Approve the allocation of £1,440,000 from the Children's, Young People and Education Modernisation Programme to permit the required works for the modular replacement.
- II. Delegate authority to the Director of Infrastructure to, in consultation with the Director of Education, enter into any necessary contracts or other legal agreements, as required to implement this decision; and

- III. Agree for the Director of Infrastructure to be the nominated Authority Representative within the relevant agreements, with authority to enter variations as envisaged under the contracts.
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## 10. Background Documents

10.1 Equality Impact Assessment

### 10.2 Appendices

None

## 11. Contact details

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# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

**DECISION TAKEN BY:**

**Cabinet Member for Education and Skills**

**DECISION NO:**

24/00041

**For publication** [Do not include information which is exempt from publication under schedule 12a of the Local Government Act 1972]

**Key decision: YES**

*Key decision criteria. The decision will result in savings or expenditure which is significant having regard to the budget for the service or function (currently defined by the Council as in excess of £1,000,000).*

**Subject Matter / Title of Decision**

**Proposed expenditure of Blean Primary School Modular Replacement Project exceeding £1m within the Modernisation Programme.**

**Decision:**

As Cabinet Member for Education and Skills, I agree to:

- I Approve the allocation of £1,440,000 from the Children’s, Young People and Education Modernisation Programme Capital Budget to permit the required for the modular replacement.
- II Delegate authority to the Director of Infrastructure to, in consultation with the Director of Education, enter into any necessary contracts or other legal agreements, as required to implement this decision; and
- III Agree for the Director of Infrastructure to be the nominated Authority Representative within the relevant agreements, with authority to enter variations as envisaged under the contracts.

**Reason(s) for decision:**

Kent County Council (KCC), as the relevant Local Authority, is responsible for the maintenance of Community and Voluntary Controlled school buildings in Kent. This responsibility is taken seriously, with continuous maintenance and modernisation programmes in place to ensure that the school estate is fit for purpose. Included within these programmes are routine building checks that identify possible future maintenance issues with accommodation.

Blean Primary School currently has 2 modular buildings which are severely dilapidated and have reached the end of their economic lifespan and both require replacement. For economies of scale and to suit operation of the school, it is proposed both separate units are being replaced with one new teaching block.

**Background**

Blean Primary School

Blean Primary School is a 2FE school located in the village of Blean, Canterbury. The school buildings are two single storey of brick construction built circa 1890 and 1967 with further extensions in 2000, 2003 and 2009 and include Page 24 of 49

The roof to the modular buildings is a mineral felt, the standard and type of insulation within the roof void would not meet the current building regulations and based on the age of the roof to be at the end of its expected life and would require full replacement. The walls and elevations comprise of studwork walls insulated with mineral wool cavity insulation, clad with cross ply timber sheathing coated with flexible Biomastic paint textured finish. The external envelope of the building has been compromised causing significant timber decay to the plysheets. There are multiple isolated areas where the Biomastic coating is delaminated from the substrate and is exposing the plywood below. To these areas the timber is experiencing significant decay, the decay can also be seen to be spreading to the timber floor joists in some isolated areas, contributing to the floor deflection experienced internally. The external façade is in a very poor condition and due to this water ingress and penetration along with heat loss to the building.

The two mobiles for replacement, mobile 1 was highlighted by the school early last year and raised via FM team which was referred to MW projects team to investigate if repairs could be made to the building. The feasibility recommended that this mobile had reached the end of economic lifespan. The extent of required repairs combined with the poor thermal performance of the buildings construction make the refurbishment of the building economically unviable. Later, following the implementation of the mobile replacement programme, this highlighted that the second mobile on the school site being flagged as 'red' from the mobile inspection as requiring replacement for the same reasons.

The current condition of both buildings is impacting on the school's day to day operation which they and is preventing the school from full utilization of the mobiles due to H&S concerns of the floor collapsing. The school are moving spaces and lessons around to suit the spaces and interventions being held in corridors as nowhere else to hold these due to limited areas to use. Using the hall for some occasions instead of the mobile which then impacts any clubs/PE lessons that were using the hall.

The proposal is to replace both modulars with a traditional built single storey teaching block with a flat roof structure to include three classrooms, one of which has kitchen facility, used to teach food technology (DT). Classrooms used for general teaching, music lessons and interventions. Teaching block will also include boys and girls WC's along with an accessible WC.

It is scheduled the works will commence in July 2024 during the Summer Holidays and with a forecast of 26 weeks construction period, completion is proposed for end of January 2025.

### **Financial Implications**

The combined cost is estimated at £1,440,000 which is inclusive of works, fees and contingency.

The cost for instructing the winning tender is as follows.

Proposed Tender Costs: £1,063,900.00

Professional Fees: £159,352.00

KCC Contingency: Allowance £216,748,780

Total Forecast Project = £1,436,032.00

All costs are expected to be Capital costs, there are no revenue costs with this project. The cost of this project will be funded from the Schools Modernisation Programme Capital Budget and £1.4m was included as part of the capital budget agreed by the County Council in February 2024.

Should the scheme not proceed through to completion, any costs incurred at the time of cessation would become abortive costs and are likely to be recharged to Revenue. This would be reported through the regular financial monitoring reports to Cabinet.

**Legal Implications**

KCC, as the Local Authority (LA), has a statutory duty to ensure sufficient school places are available. This duty applies to Special Educational Needs (SEN) provision, as well as mainstream settings. The County Council's Commissioning Plan for Education Provision in Kent 2024 - 28 is a five-year rolling plan which is updated annually. It sets out KCC's future plans as Strategic Commissioner of Education Provision across all types and phases of education in Kent.

KCC has a statutory duty to provide a compliant standard of safety and comfort to staff, children and visitors to the school. KCC also have a statutory duty to provide school places and the implications of not undertaking this work will lead to further deterioration, and ultimately failure which could result in temporary school closure.

**Equalities implications**

The modular replacement scheme will not change the delivery of education with the school and therefore has no equalities implications. The Equality Impact Assessment form has been completed.

**Data Protection implications**

None – the schools will continue to adhere to Data Protections legislation during the planned works.

**Cabinet Committee recommendations and other consultation:**

**Any alternatives considered and rejected:**

**Option 1 – Do Nothing**

No further temporary repairs are deemed to be effective and water ingress is probable without replacement, we can only do safe, warm and dry for so long. Do Nothing would result in significant loss of teaching space for the school not being usable. Temporary accommodation would be required for displaced pupils and a more significant repair of the building would need to take place due to additional damage further ingress would create. KCC would be at financial loss to keep the mobiles under Safe, Warm and Dry as these mobiles are at end of economic and operational life.

**Option 2 – Localised Repairs**

Localised repairs have been undertaken over the last 5 years, there are no further localised repairs that can be carried out. The extent of required repairs combined with the poor thermal performance of the buildings construction make any localised repairs / refurbishment of the buildings economically unviable. This option would risk further water ingress and the associated risk of school closure inline with the above statement.

**Option 3 – Proceed with traditional build Replacement**

This would mitigate the risk of any future works being required in response to further water ingress and remove any further potential school closure risks and provide safe teaching environments. This is a long-term measure.

After reviewing the estimated costs, potential risk elements and the key advantages/disadvantages of each option it is recommended that replacement is the only appropriate solution.

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer: None**

.....  
signed

.....  
date



## EQIA Submission – ID Number

### Section A

**EQIA Title**

Blean Primary Modular replacement

**Responsible Officer**

Stuart Pryor - DCED INF

**Approved by (Note: approval of this EqIA must be completed within the EqIA App)**

Joanne Taylor - DCED INF

### Type of Activity

**Service Change**

No

**Service Redesign**

No

**Project/Programme**

Project/Programme

**Commissioning/Procurement**

No

**Strategy/Policy**

No

**Details of other Service Activity**

No

### Accountability and Responsibility

**Directorate**

Strategic and Corporate Services

**Responsible Service**

Infrastructure

**Responsible Head of Service**

Joanne Taylor - DCED INF

**Responsible Director**

Rebecca Spore - DCED INF

### Aims and Objectives

To replace a 2 nr dilapidated mobile classrooms with 2 nr new modular units. This is to provide new teaching facilities to support KCC statutory duty to provide school places.

### Section B – Evidence

**Do you have data related to the protected groups of the people impacted by this activity?**

No

**It is possible to get the data in a timely and cost effective way?**

Yes

**Is there national evidence/data that you can use?**

No

**Have you consulted with stakeholders?**

Yes

**Who have you involved, consulted and engaged with?**

Blean Primary Headteacher

KCC Planning

Assistant Director of Education - East

KCC Finance

**Has there been a previous Equality Analysis (EQIA) in the last 3 years?**

No
<b>Do you have evidence that can help you understand the potential impact of your activity?</b>
Yes
<b>Section C – Impact</b>
<b>Who may be impacted by the activity?</b>
<b>Service Users/clients</b> Service users/clients
<b>Staff</b> No
<b>Residents/Communities/Citizens</b> No
<b>Are there any positive impacts for all or any of the protected groups as a result of the activity that you are doing?</b>
Yes
<b>Details of Positive Impacts</b>
New building with new teaching facilities and new sanitary equipment. Amalagamting two units that will be cheaper and more efficient for the pupils and staff.
<b>Negative impacts and Mitigating Actions</b>
<b>19. Negative Impacts and Mitigating actions for Age</b>
<b>Are there negative impacts for age?</b>
No. Note: If Question 19a is "No", Questions 19b,c,d will state "Not Applicable" when submission goes for approval
<b>Details of negative impacts for Age</b>
Not Completed
<b>Mitigating Actions for Age</b>
Not Completed
<b>Responsible Officer for Mitigating Actions – Age</b>
Not Completed
<b>20. Negative impacts and Mitigating actions for Disability</b>
<b>Are there negative impacts for Disability?</b>
No. Note: If Question 20a is "No", Questions 20b,c,d will state "Not Applicable" when submission goes for approval
<b>Details of Negative Impacts for Disability</b>
Not Completed
<b>Mitigating actions for Disability</b>
Not Completed
<b>Responsible Officer for Disability</b>
Not Completed
<b>21. Negative Impacts and Mitigating actions for Sex</b>
<b>Are there negative impacts for Sex</b>
No. Note: If Question 21a is "No", Questions 21b,c,d will state "Not Applicable" when submission goes for approval
<b>Details of negative impacts for Sex</b>
Not Completed
<b>Mitigating actions for Sex</b>
Not Completed
<b>Responsible Officer for Sex</b>
Not Completed
<b>22. Negative Impacts and Mitigating actions for Gender identity/transgender</b>
<b>Are there negative impacts for Gender identity/transgender</b>

No. Note: If Question 22a is "No", Questions 22b,c,d will state "Not Applicable" when submission goes for approval
<b>Negative impacts for Gender identity/transgender</b>
Not Completed
<b>Mitigating actions for Gender identity/transgender</b>
Not Completed
<b>Responsible Officer for mitigating actions for Gender identity/transgender</b>
Not Completed
<b>23. Negative impacts and Mitigating actions for Race</b>
<b>Are there negative impacts for Race</b>
No. Note: If Question 23a is "No", Questions 23b,c,d will state "Not Applicable" when submission goes for approval
<b>Negative impacts for Race</b>
Not Completed
<b>Mitigating actions for Race</b>
Not Completed
<b>Responsible Officer for mitigating actions for Race</b>
Not Completed
<b>24. Negative impacts and Mitigating actions for Religion and belief</b>
<b>Are there negative impacts for Religion and belief</b>
No. Note: If Question 24a is "No", Questions 24b,c,d will state "Not Applicable" when submission goes for approval
<b>Negative impacts for Religion and belief</b>
Not Completed
<b>Mitigating actions for Religion and belief</b>
Not Completed
<b>Responsible Officer for mitigating actions for Religion and Belief</b>
Not Completed
<b>25. Negative impacts and Mitigating actions for Sexual Orientation</b>
<b>Are there negative impacts for Sexual Orientation</b>
No. Note: If Question 25a is "No", Questions 25b,c,d will state "Not Applicable" when submission goes for approval
<b>Negative impacts for Sexual Orientation</b>
Not Completed
<b>Mitigating actions for Sexual Orientation</b>
Not Completed
<b>Responsible Officer for mitigating actions for Sexual Orientation</b>
Not Completed
<b>26. Negative impacts and Mitigating actions for Pregnancy and Maternity</b>
<b>Are there negative impacts for Pregnancy and Maternity</b>
No. Note: If Question 26a is "No", Questions 26b,c,d will state "Not Applicable" when submission goes for approval
<b>Negative impacts for Pregnancy and Maternity</b>
Not Completed
<b>Mitigating actions for Pregnancy and Maternity</b>
Not Completed
<b>Responsible Officer for mitigating actions for Pregnancy and Maternity</b>
Not Completed
<b>27. Negative impacts and Mitigating actions for Marriage and Civil Partnerships</b>
<b>Are there negative impacts for Marriage and Civil Partnerships</b>

No. Note: If Question 27a is "No", Questions 27b,c,d will state "Not Applicable" when submission goes for approval
<b>Negative impacts for Marriage and Civil Partnerships</b>
Not Completed
<b>Mitigating actions for Marriage and Civil Partnerships</b>
Not Completed
<b>Responsible Officer for Marriage and Civil Partnerships</b>
Not Completed
<b>28. Negative impacts and Mitigating actions for Carer's responsibilities</b>
<b>Are there negative impacts for Carer's responsibilities</b>
No. Note: If Question 28a is "No", Questions 28b,c,d will state "Not Applicable" when submission goes for approval
<b>Negative impacts for Carer's responsibilities</b>
Not Completed
<b>Mitigating actions for Carer's responsibilities</b>
Not Completed
<b>Responsible Officer for Carer's responsibilities</b>
Not Completed

## Children's, Young People and Education Cabinet Committee 2023/24 Work Programme

2 JULY 2024		
• School Expansions/Alterations	Standing item	
• Performance Monitoring	Standing item	
• Ofsted Update	Standing item	
• Kent Safeguarding Children Multi-Agency Partnership Annual Report	Annual	
• Report on CYPE Directorate Staff Survey Results	Requested at Agenda Setting on 4/4/24	Lead officer?
• Kent Commissioning Plan Update	Bi-annual report	
• Specialist Teaching and Learning Services		
• Early Years Review		
• Direct Payment Support Service		
• Holiday Activities and Food Programme		
• Short Breaks Strategy		
• SEN Mediation commissioning		
• School Led Transport		
• 24-00046 KCC Community Learning and Skills – Adult Education Funding Reforms		
• Work Programme	Standing item	

## Children's, Young People and Education Cabinet Committee 2024/25 Work Programme

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<b>24 SEPTEMBER 2024</b>		
• Performance Monitoring	Standing item	
• Ofsted Update	Standing item	
• School Expansions/Alterations	Standing Item	
• SEND Health Needs Policy		
• Accessibility Strategy		
• Services to Schools Review	Might go to 21 Nov 2024 meeting instead	
• Work Programme	Standing item	
<b>21 NOVEMBER 2024</b>		
• Performance Monitoring	Standing item	
• Ofsted Update	Standing item	

• School Expansions/Alterations	Standing Item	
• Kent Commissioning Plan Update	Bi-annual report	
• LADO Annual Report	Annual	
• Private Fostering Annual Report	Annual	
• Work Programme	Standing item	

**16 JANUARY 2025**

• Performance Monitoring	Standing item	
• Ofsted Update	Standing item	
• School Expansions/Alterations	Standing Item	
• School Funding Arrangements for 2024-25	Annual	
• Kent Safeguarding Children Multi-Agency Partnership Annual Report	Annual	
• The Education People Contract Changes for 25-26		
• Work Programme	Standing item	

**27 FEBRUARY 2025**

• Performance Monitoring	Standing item	
• Post-16 Transport Policy	Annual	
• Ofsted Update	Standing item	
• School Expansions/Alterations	Standing Item	
• Annual presentation of risk reports	Annual	
• SACRE Report	Annual	
• CYPE Contract Register- Overview of Commissioned Contracts	Annual	
• Complaints and Representations Report	Annual	
• Work Programme	Standing item	

**25 JUNE 2025**

<b>25 JUNE 2025</b>		
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• School Expansions/Alterations	Standing Item	
• Kent Commissioning Plan Update	Bi-annual report	
• School Term dates 2024-25		
• Performance Monitoring	Standing item	
• Ofsted Update	Standing item	
• Work Programme	Standing item	

**Updated: 30.4.24**



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