

# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

## DECISION TO BE TAKEN BY:

Sue Chandler, Cabinet Member for Integrated Children's Services

## DECISION NO:

20/00107

**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

Educational Psychology – increased capacity of assessments

## Decision:

As Cabinet Member for Integrated Children's Services, I agree to:

- (i) award a contract (or contracts) in order to deliver Educational Psychology Assessments on behalf of Kent County Council to support the reduction of waiting times for the service,
- (ii) Delegate authority to the Corporate Director for Children, Young People and Education, in consultation with the Cabinet Member for Integrated Children's Services, to take relevant actions, as necessary to implement this decision.

## Reason(s) for decision:

SEND services in Kent are subject to a Written Statement of Action (WSOA) following an inspection of services in January 2019 identified weaknesses in nine key areas. One of those areas was the ability of the service to deliver Education, Health and Care Plans (EHCPs) in a timely manner and to an agreed quality. The most recent figures indicate that only 29% of EHCPs were delivered in line with statutory timescales. One of the key reasons for this failure has been the exponential increase in numbers of requests over recent years linked to the inability of the Education Psychology Service (EPS) to provide enough assessments in a timely manner

The Council is seeking the provision of high-quality locum support to complete statutory assessments in accordance with the template provided by the local authority and within designated time scales. Ongoing support to the service will be provided, through the award of a contract to a third party provider, to significantly reduce the likelihood of a future backlog

## Financial Implications

The contract is dependent on demand and foresee the spend range to be between £500k and £1.5m per annum. The contract is for one year with an option to extend for a further year.

## Legal Implications

The local authority has a statutory obligation to complete assessments (EHCPs) in a 20-week timeframe. As an authority we are, in a number of cases, failing in this duty impacted by the capacity of the EP Service. Establishing a contract seeks to address this.

In 2019 Ofsted and the CQC undertook a joint inspection of Kent's SEND offer and how this is implemented across the county. The inspection identified the following

- The Fragmented system means that too many children and young people with SEND do not get the support they need
- Families experience a high level of confusion about what support is available. Resulting in the belief that an EHCP is essential to ensure their child's needs are met.
- Kent does not yet successfully prioritise the needs of children and young people with SEND.
- Children and young people with SEND experience unacceptable inequality when accessing services in Kent.

## Equalities implications

An EqIA has been completed and identified no high negative impacts and the following positive impacts were identified:

-An increase in the total number of assessments available to meet the needs of young people who are in need of an Educational Psychology assessment who may/may not be SEN; A reduced wait to access support which may be dependent on the completion of an assessment; Young people and their families will be supported to achieve and will have their wellbeing positively impacted as a result of receiving an assessment service in a more timely manner.

Whilst by its nature the service will exclude those who do not fulfil these criteria, the choice of these restrictions is justified, and any other protected groups are not affected.

## Data Protection implications

Underway

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

The Children's, Young People and Education Cabinet Committee will consider this decision at its meeting on 18 November 2020.

## **Any alternatives considered and rejected:**

There is a national shortage of qualified Educational Psychologists and potentially a low level of capacity in the market to provide the service. Whilst there are locums available, they may not necessarily be in Kent and a digital offer will need to be considered.

In order to avoid the replication of the current backlog situation, commissioners have discussed with the service how their future needs can be best met by developing the design of the service and what impact this could have on the preventions of waiting lists. This may include but is not limited to the development of a portfolio of locums that would be available to take on ad-hoc work as the peaks and troughs of referrals dictates.

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

None

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signed

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date