



**Royal Borough of Kingston upon Thames  
Safety Valve Agreement  
Quarter Three 2022/23 Summary Update Report**

<b>Date Submitted</b>	20th January 2023
<b>Data Date</b>	31st December 2022
<b>Signed off by S151 Officer</b>	Sarah Ireland
<b>Signed off by Director of Children's Services</b>	Ian Dodds
<b>Background documents</b>	<a href="#">Safety Valve Agreement</a> <a href="#">SEND Futures Plan</a>

Progress in Q3 has been generally positive with overall financial performance improved from Q2. There is now confidence that the DSG deficit will be within the parameters set within the Safety Valve Agreement terms and conditions for 2022/23 and that this work is supporting the achievement of conditions for future years also.

Altered assurance levels since Q2 are:

Condition 2 (Maximum Forecast DSG Deficit Profile at year end £31.46m) from a low to good level of assurance mainly due to the reduction in the forecast number of EHC plans at year end.

Condition 3.1 (Improve support available in schools to manage demand more effectively and reduce escalation of need) from a good to a medium level of assurance due to the very significant increase in the number EHC needs assessment requests.

Condition 3.3 (Manage demand for Education Health and Care Plans (EHCP) by scrutinising provision at each annual review and continuing to work with consultants Mastodon C to forecast and manage EHCP growth during 2022-23) from low to medium due to the reduced actual and forecast number of EHC plans (but note this could quickly reverse given the large number of EHC needs assessment requests).

Condition 3.4 (Improve efficiency of commissioning) from a medium to a low level of confidence due to the likely future impact of inflation on placement costs.

Condition 3.5 (Increase contributions from health and social care) from medium to low following reductions in actual and forecast contributions from partners.

The risk register has been updated and there are significant increases in risk to a number of areas, most importantly those relating to increasing needs amongst children and young people, real inflation, staffing challenges across all of education, health and care, and the lack of availability of specialist places.

Also of note in Q3 are:

- Kingston received its local area SEND inspection revisit. Ofsted and CQC inspectors judged sufficient progress to have been made in all of the four areas of significant weakness.
- Kingston commissioned and published a report on local practice to assess performance against two recommendations in the DfE's June 2022 publication "*High needs budgets: effective management in local authorities*". The report by Peter Gray is [published here with the Schools Forum papers](#).

A summary update on each of the safety valve conditions is included in the table below with further detail on each area in the appendix.

Level of assurance	Condition
Good	2, 3.6, 3.8
Medium	3.1, 3.2, 3.3, 3.7, capital investment
Low	3.4, 3.5

Agreement Condition	Assurance Level			
	Q4 21/22	Q1 22/23	Q2 22/23	Q3 22/23
<b>Condition 2: Maximum Forecast DSG Deficit Profile at year end £31.46m</b>	Good	Low	Low	Good

Kingston is now on track to meet this condition, with the forecast for the deficit at the end of the financial year (end March 2023) at the end of Q3 £30.134m. This compares to a maximum DSG deficit of £31.465m as set in the Safety Valve Agreement. See note below re change to methodology.

The two major determinants of the size of this deficit are the total number of EHC plans and the average placement costs.

The forecast for the total number of EHC plans at the January 2023 census (1633) has improved significantly since Q2 (1684). More information on how this has been achieved can be found in information relating to conditions 3.1 and 3.3 below. The actual number of EHC plans at the end of Q3 (end December) was 1626 against an assumption in the five year financial model underpinning the Safety valve Agreement of 1640 at the January census (19th January 2023).

Less positive is the impact of rising placement costs, driven by well known and real increases in utility, food, and staffing costs. That having been said, we are pleased with the impact of our placement commissioning team, operational since the start of the financial year (April 2022). Without them the financial position would be significantly worse. More information on their impact is available in the section relating to condition 3.4 below.

A multi-agency approach continues to be taken to both manage the need for EHCPs to be in place for the needs of children and young people to be met, and to agree placements and the allocation of placement costs (through the Joint Agency Panel) to ensure all parties pay their fair share according to statutory duties.

The key indicators to note are:

KPI	SVA Target	Q1 (restated)*	Q2	Q3
Max cumulative deficit before safety valve funding	£31.465m	£31.139m	£30.926m	£30.134m
Forecast number of EHCPs @ Jan 2023 census	1,640	1,703	1,684	1633
Increase in EHCPs at Jan 2023 census (projected)	+103	+153	+134	+83
EHCPs @ 31st August 2022 (since Jan census)		1,584 +34	1,622 +72	1626 +76

\*Figure restated (following meeting with DfE officer) to represent actual deficit to be reported at year end

- not adjusted to reflect impact of additional DSG funding received in 2021/22 to allow for reducing income expectations in future years

<b>Condition 3.1: Improve support available in schools to manage demand more effectively and reduce escalation of need.</b>	<b>Q4 21/22</b>	<b>Q1 22/23</b>	<b>Q2 22/23</b>	<b>Q3 22/23</b>
	Good	Good	Good	Medium

The SEND Futures Conference 2022 was held on 12 October. More than 350 delegates attended including about 55 parents and carers and practitioners from 135 different organisations (this data spans Kingston and Richmond). Speakers included Dame Christine Lenehan, Director of the Council for Disabled Children at the National Children’s Bureau and Dr André Imich OBE, SEN and Disability Professional Adviser, Department for Education who focused on next steps with the recent SEND green paper and responded to a range of priorities identified by our parents and carers. There was also [a range of workshops](#) delivered by both local parents and practitioners, and experts from further afield with national reputations. The following feedback was received from delegates:

i. When asked what was working well in the local SEND system, opportunities for different elements of a complex and strained system to come together to seek solutions were welcomed (including the SEND Futures Conference) as was the training offered to SENCOS, and the commitment and dedication of staff which was highly praised.

ii. When asked what was a worry, the lack of funding came up most frequently, followed by insufficient therapy provision, difficulty in recruiting staff and the workload experienced by SENCOS.

iii. When asked what should be done differently in Kingston, increased training opportunities for staff and parents came up most frequently, followed by more support for families of children and young people with SEND, and increasing the number of staff per class.

Good progress has been made with the Ordinarily Available provision work with the document now on the Local Offer here and awareness raising ongoing. The Inclusion Charter is currently being discussed with headteachers and due for a formal launch in the coming weeks. The School Improvement Team is increasingly focused on including SEND within their wider improvement work.

The number of requests for EHC needs assessments during the current financial year, and how this compares to the same period in the previous year, is shown below.

Kingston, requests for EHC needs assessments										
	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Total
2022	23	32	26	50	11	14	17	17	25	215
2021	17	28	28	35	16	12	14	14	16	180

This very significant increase in the number of requests for EHC needs assessments is the reason progress with this condition has changed from good to medium. Whilst considerable work has been done to improve the support available to schools, this level of assessment will result in a significant increase in the number of EHC plans being issued in subsequent months. Significant changes have been made to the multi agency panel that makes the decision about whether a request will be agreed or refused, building on previous improvements at the start of academic year 2021/22. Two reasons behind these additional changes are:

- to build on the intelligence yielded from the monthly data analysis of where requests are coming from (i.e. whether parent / carer or school and is school which one) so that outreach specialist services, including the school improvement team, can be targeted at sources to assess and support local practice
- Ensure that all partners are fulfilling their statutory duties under the SEND Code of Practice, using the funding they are provided with (e.g. notional SEN budgets) to provide the support for which it is intended,

and following local protocols such as making best use of, for example, the [Threshold Guidance](#), [Early Intervention panels](#) and [Early Intervention Support Service](#).

We welcome the “deep dive” into Kingston’s early intervention practice with our DfE SEND Advisor which will take place on 27th March 2023. The timing of this has been set to allow the impact of these additional changes to local processes to be assessed.

Condition 3.2: Expand specialist provision to avoid placements in more expensive Non Maintained Special Schools and independent special schools.	Q4 21/22	Q1 22/23	Q2 22/23	Q3 22/23
	Good	Medium	Medium	Medium

Construction has now started on the new Spring School. The next steps will be to work with the Department for Education and Ambitious about Autism to amend the Spring School’s admissions policy.

Permanent accommodation for Malden Oaks’s post-16 provision is on course to be open by May/June 2023. In addition, the temporary use of the Star Centre was successfully managed.

Work on a new reception class at Surbiton Children’s Centre Nursery has continued and is now close to completion. The goal is to ensure additional reception places are provided for September 2023.

Planning permission has been given for work to begin on adapting the road around Robin Hood School which will help to enable bespoke Specialist Resource Provision drop-off/collection.

A feasibility report has been commissioned for the reconfiguration of an Autism Spectrum Condition (ASC) Specialist Resource Provision at Knollmead Primary School.

Next steps with expanding local specialist provision include commissioning a feasibility report for the Cullum Centre at The Kingston Academy. Future consideration will also need to be made around how best to reconfigure the Orchard Hill College & Academy Trust post-16 SEND campus proposal. In addition, progress will need to be made with St Philip’s vocational centre in the next three months.

Achieving for Children (AfC) will also work with Kingston College within the next few months to secure space for Social Emotional and Mental Health provision to mirror Malden Oaks.

Progress with the proposed post 16 campus and Spring School are provided in the section on capital investments below.

Condition 3.3: Manage demand for EHC Plans by scrutinising provision at each annual review and continuing to work with consultants Mastodon C to forecast and manage EHCP growth during 2022/23	Q4 21/22	Q1 22/23	Q2 22/23	Q3 22/23
	Low	Low	Low	Medium

At the end of December 2022, Kingston maintained a total of 1626 EHC plans. This is an increase of 71 since the start of the financial year at the start of April (when the total was 1555) and 76 since the census in January 2022 (when the total was 1550).

Kingston, total EHC plans maintained												
2022	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Total	1553	1561	1555	1569	1584	1596	1606	1622	1593	1596	1611	1626

The forecast total number of EHC plans in the five year financial model when the Safety Valve Agreement was originally finalised in March 2021 for the January 2023 census was 1640. The actual total number of EHC plans at

the time of the January 2023 census will be close to this, currently forecast at 1633. This is a pleasing improvement since the forecast in Q2 which was at 1684. The assumption in the original Safety Valve Agreement for total EHC plans in January 2022 was 1537 against an actual of 1550 so to have improved the situation to a possible discount to the assumption of 1640 for January 2023 is also pleasing. For this reason, progress with this condition has been amended from low to medium. The reason it is not high is because the number of EHC needs assessments that are currently “in the system” (currently 83) means that this performance could change quickly.

The number of new plans issued each month since the start of this financial year, and how it compares to the same period the previous year, is shown below.

Kingston, new EHC plans issued										
	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Total
2022	12	22	15	22	22	26	18	26	30	193
2021	16	8	16	16	12	10	18	31	28	155

When interpreting this data, and the 25% year on year increase in new plans issued during this period, factors to consider include that for 2021 the issuance of new EHC plans was impacted by the relative absence of children and young people from schools resulting from periods of lockdown, and the availability and ability of professionals, particularly health professionals, to complete the required assessments.

Over the past twelve months the proportion of requests for EHC needs assessments that have been declined is 16% and the proportion of assessments that took place where an EHC plan was refused was 2%. This compares to the latest national data on these proportions of 22% and 5.9% for calendar year 2021.

The number of EHC plans ceased each month since the start of this financial year, and how it compares to the same period the previous year, is shown below.

Kingston, EHC plans ceased (including transfers to other LAs)										
	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Total
2022	3	6	7	11	4	7	20	13	15	86
2021	4	3	6	9	6	4	6	7	3	48

During this period in 2022, the most significant reasons for an EHC plan to be ceased were transfer to another local authority, moved on to higher education, moved into paid employment (excluding apprenticeships), and departure from education. Only 3 EHC plans were ceased for the reason that the young person reached the maximum age for an EHC plan of 25 years.

Condition 3.4: Improve efficiency of commissioning services to drive down cost.	Q4 21/22	Q1 22/23	Q2 22/23	Q3 22/23
	Low	Medium	Medium	Low

The reduction in expenditure target for the SEND Placement Commissioning Team (established in April 2022) for Kingston is £489,000, with performance at the end of 2022/23 Q3 £346,783 (71% of target). Whilst the impact of this new team is pleasing, we have reduced the confidence level for this condition due to the significant inflation in the system and the likelihood that this will continue to present challenges with regard to placement costs.

Included in these reductions in forecast expenditure are agreements with colleges with whom cost agreements

have been made for continuing learners. The commissioning team is currently meeting with other local colleges to discuss their proposed fee uplifts. In Kingston, the total reduction in fees for the 2022/23 financial year is £39,284.84 for continuing learners and £169,486 for new learners. This means that we are confidently predicting that we will have exceeded the Kingston Safety Valve target for SEND commissioning by the end of the financial year.

The following table demonstrates fee uplift requests and outcomes for Independent schools, Independent non-maintained special schools, further education, post-sixteen independent colleges and special academies, for 22/23 academic year:

		Requested fee uplift		Agreed fee uplift	
Number of requests	31 providers fee uplift requests across 102 learners	Total requested cash value	Average requested fee uplift	Total agreed cash value	Average agreed fee uplift
Range	1.9% - 3% (7 providers - 12 learners)	£18,791	2.60%	£9,676	1.43%
	3.1% - 4% (4 providers - 14 learners)	£11,518	3.67%	£8,906	3.37%
	4.1% - 11.89% (20 providers - 76 learners)	£70,487	5.95%	£36,063	4.43%
<b>Average Requested</b>		5.24%		4.03%	
<b>Total cash value</b>		£100,796		£54,646	

### Improving processes within commissioning

As of January 2023, 80% of our contracts with independent providers have now been returned. Developing stronger relationships with schools has led to a school in a neighbouring local authority agreeing not to impose a fee lift without discussion, and also not to charge AfC for a student leaving mid-year.

The commissioning team has developed a contact list for the use of SEND teams when consulting for high-cost providers. This contains all the information given to us by providers, which will then be added to with their OFSTED rating. This is currently in draft format and is being trialled this academic year.

The team has also developed a provider-based risk register that takes into account the following: legal status, contract status, feedback from SEND teams, fee increases, and Ofsted rating. This is used to prioritise meetings with providers. Negotiations are also completed at an early stage.

The commissioning team has worked on improving the transparency of commissioning costs by introducing forms that ask for a detailed cost breakdown as well as listing what is included in a placement cost to avoid unexpected/hidden costs in the future. This includes joint-funded placements with a focus on value for money and individual cost negotiation, cost comparison, benchmarking and a review of additional costs.

Condition 3.5: Increase contributions from health and social care.	Q4 21/22	Q1 22/23	Q2 22/23	Q3 22/23
	Low	Medium	Medium	Low

The increase in contributions from partners is now forecast to be £70k against a target of £250k, representing a deterioration from Q2 when the forecast was £104k. That being the case, it is also felt that the improved processes we now have in place under the Joint Agency Panel arrangements are robust and that all partners are paying their fair share to an improved extent. These numbers are largely a function of the needs of the young people whose placements are being agreed and importantly partners are focused on paying the amount that relates to their statutory duties. The reason that we have amended the assurance level of this condition from medium to low is that knowing what we know about placements due to be agreed in the next 3 months and actual at the end of Q3, we cannot see where the increase required to exceed the amount in the financial model will come from. However this may be the case if a child or young person arrives into the borough needing a high level of multi agency support, or the costs of existing multi agency funded placement(s) increase significantly.

	2022/23	2021/22	Change
	£	£	£
Education	2,638,865	2,565,857	73,008
Childrens Social Care	1,537,155	1,634,144	-96,989
Adults Social Care	433,054	433,053	1
Health	494,602	369,204	125,398
<b>Total partner contributions - known EHCPs</b>	<b>2,464,811</b>	<b>2,436,401</b>	<b>28,410</b>
Expected contributions to future EHCPs	42,258		42,258
<b>Total partner contributions - projected EHCPs</b>	<b>2,507,069</b>	<b>2,436,401</b>	<b>70,668</b>

Condition 3.6: Commission a Local Government Association (LGA) peer review and implement any recommendations arising from it which drive sustainability in their high needs system.	Q4 21/22	Q1 22/23	Q2 22/23	Q3 22/23
	Good	Good	Good	Good

The Schools Forum High Needs Block Subgroup met in October with agenda items including the annual refresh of the terms of reference, scrutiny of performance against the Safety Valve conditions, and an update on the implementation of the new banding system for calculating top up amounts for EHC plans (another of the recommendations arising from the LGA review at the core of this condition). The agenda for the sub group meeting in February will include a deep dive into the numbers of children and young people with SEND (both EHC plans and SEND Support) across different schools to consider the placements are fairly allocated across the school system.

Work on the new banding system has continued and remains on track for implementation in maintained and academy special school placements from the start of the next academic year in September 2023. Schools Forum considered progress with this work at its meetings in [September](#) when Forum also discussed options for transitional arrangements being proposed to mitigate losses for schools and voted to agree a way forward. The teams are currently training school staff including SENCOs and other advice givers. The SEN Team will start using the new methodology after February half term to reflect annual review activity from that point for those placements in the first wave of implementation.

In terms of working more effectively with parents and carers, and building on the new role for parent engagement, progress continues. We continue to work with Coram to grow the Coram [SEND Parent Champions scheme](#) with the [Parent Carer Engagement Officer](#) acting as the Parent Champions Coordinator. The first cohort of SEND Parent Champions is active in school settings and in the community with additional recruits starting this term. In conjunction with the Parent Champions, we continue to develop better methods of communication with SEND parents/ carers to ensure that parents and carers are better informed of local provision. The SEND Register now has more than 1000 families registered, allowing us to communicate directly with them on a regular basis through newsletters and other communications. We are very grateful to our Parent Carer Forum who continue to do excellent work to support families of children with SEND.



<b>Condition 3.7: Reforming of the authority's post-16 offer, including but not limited to development of new provision.</b>	Q4 21/22	Q1 22/23	Q2 22/23	Q3 22/23
	Low	Medium	Medium	Medium

Kingston Local Authority has continued working with the National Development Team for Inclusion to run the [Employment Forum](#), where young people with SEND can start exploring future employment opportunities. This has led to increased collaboration with the voluntary sector and parents of children and young people with SEND in order to broaden the reach of the forum. Trend data from [Next Steps](#) discussions with careers advisors has been analysed, and will also be used to inform the Employment Forum and to map out a sufficiency strategy.

Work has continued with schools and colleges around our Preparing for Adulthood provision and the Transitions Board, jointly chaired by the DCS and the AD for Commissioning in Adult Social Care met for the first time in the autumn to oversee the implement the action plan arising from the Pfa audit completed in summer 2022.

Work to implement the business case agreed by the council relating to increasing the accessibility of the secondary school curriculum and building local vocational pathways is ongoing.

Placement costs are post 16 have been particularly impacted by inflationary price increases

Placement Setting	SVA Target	Q3 Cost	Difference
>16 - Average cost of all settings	£11,521	£12,829	+1,308
Independent Special School >16	£33,029	£39,306	+6,277
Independent Specialist provider >16	£28,326	£32,227	+3,901
Further Education Colleges	£2,630	£2,839	+209
In borough Special Schools >16	£25,198	£28,721	+3,523

<b>Condition 3.8: Contribute to the reduction of the cumulative deficit via alternative council funding sources in each financial year covered by this agreement.</b>	Q3 21/22	Q4 21/22	Q2 22/23	Q3 22/23
	Good	Good	Good	Good

All 2022/23 budget transfers that were built in to the financial modelling have been agreed as follows:

- £1.2m general fund contribution agreed for 2022/23.
- £656k in block transfers agreed as part of the DSG budget setting process (£502k from the Schools Block; £19k from the Central School Services Block and £135k from the Early Years Block).

The financial model builds in an anticipated annual underspend of £750k per year on the Early Years Block. The latest performance suggests this will be closer to £586k which leaves a gap in the model of £164k which is offset by block transfers which have exceeded the target in the model by £194k.

<b>Capital: Progress on capital investment and associated local infrastructure growth</b>	Q4 21/22	Q1 22/23	Q2 22/23	Q3 22/23
	Medium	Medium	Medium	Medium

A site for the new post 16 SEND campus, funded by the £3.6m capital grant associated with the Safety Valve Agreement plus a substantial portion of the borough's HNC allocation, has not yet been identified. The aim remains to provide up to 80 additional post- and pre-16 places in the borough and LocatEd, AfC and RBK continue



to work to identify a potential site.

Progress with the construction of the Spring School, a specialist autism school run by Ambitious About Autism at the site of the Moor Lane centre in Chessington due to open in September 2023 is on track.

Risks are monitored by the Director of Children's Services and the senior team and where needed, associated mitigating actions are identified and implemented. Appendix D provides the SEND Futures Plan risk register for information. It is important that the following risks continue to be carefully monitored (similar to Q2):

- The increase in needs amongst children and young people, exemplified by the increase in requests for EHC needs assessments
- Availability of specialist places at special schools and in specialist resource provisions
- Real increases in costs of placements driven by inflation in a number of sectors
- Staff retention and recruitment issues, for example amongst schools support staff - teaching assistants and HLTAs.
- The impact of changes in local Health arrangements arising from the establishment of the ICB at the same time as wider Health services are experiencing considerable pressures

**We request the following support to successfully deliver the Safety Valve Agreement:**

- That the DfE ensures the new special free schools in Richmond and Kingston are opened as soon as possible. Delays to opening will have a significant negative financial impact.
- A number of local academy special schools have approached AfC asking for increases to their funding due to rising operational costs and inflationary pressures. The DfE benchmarking shows that the level of funding provided is in line with other similar schools. It would be helpful if the DfE could support these schools to find solutions given they are academies.
- We continue to hear of cases where health professionals have discussed EHC needs assessments, plans and/or particular school placements with families in a way that is not always in line with the statutory process and the SEND Code of Practice. We ask that the DfE works with NHS England colleagues to ensure such conversations are conducted in line with formal processes so as to make the experience of families as joined up and understandable as possible.
- The South London SEN Commissioning Partnership is ceasing in January 2023. The DfE's views / support in considering Pan London and / or regional South East England commissioning partnerships would be welcome at a time when a regional shortage of specialist places is driving significant price inflation and creating probably the biggest threat to meeting the terms of the Safety Valve Agreement.

**Summary of appendices**

Appendix A - Demand and Financial Management Dataset

Appendix B - SEND Futures Plan Budget Monitoring

Appendix C - SEND Futures Workstream Update

Appendix D - Risk Register

**Key contact**

Ian Dodds  
Director of Children's Services  
Royal Borough of Kingston upon Thames  
Telephone: 020 8891 7551  
E-mail: [ian.dodds@achievingforchildren.org.uk](mailto:ian.dodds@achievingforchildren.org.uk)

Ref	Key Performance Indicator	Baseline 31st March 2022	Target 22/23	Q1 (MAY)	Q2 (AUG)	Q3 (DEC)	RAG	Comment	Target Derivation	KPI Category
1	Actual EHCPs	1566	1630	1584	1622	1626	G	86 increase over 12 months	Pro rata	Demand Management
2	% increase in EHCPs	9.36%	4.09%	1.15%	3.58%	3.83%	G	6% full year - rephased due to changed start point	Pro rata	Demand Management
3	Net EHCPs @ Jan Projected	1550	1640	1703	1684	1633	G	Target rebased to reflect revised opening position - now net 95 increase	Annual - In Plan	Demand Management
4	% increase	n/a	5.81%	9.87%	8.65%	5.35%	G		Annual - In Plan	Demand Management
5	New EHCPs	220	176	46	59	74	G		Annual - In Plan	Demand Management
6	Ceased EHCPs	-107	-81	-10	-24	-48	G		Annual - In Plan	Demand Management
6a	Movers	21	n/a	-18	21	34	G		Annual	Demand Management
7	% of EHCP per head of population	2.90%	3.02%	2.94%	3.01%	3.02%	G		Annual	Demand management
8	% of pupils with SEN Support	9.90%	9.90%	9.90%	9.04%	9.04%	G	New published data 16 June 2022	Annual	Demand management
9	HNB Surplus / Deficit	£5,715,000	£4,809,000	£5,960,000	£5,902,979	£5,040,787	R	Excludes £1.2m GF contribution	Annual - In Plan	Financial Control
10	HNB Spend	£32,068,010	£33,240,000	£35,556,411	£35,595,114	£34,714,922	R		Annual - In Plan	Financial Control
11	HNB Spend - direct (includes recoupment and future demand)	£30,242,796	£29,913,412	£33,747,673	£33,738,708	£32,982,201	R		Annual	Financial Control
12	HNB Spend - central	£1,825,214	£3,326,588	£1,808,738	£1,856,406	£1,732,721	G		Annual	Financial Control
13	In Year DSG Surplus/Deficit	£3,519,000	£2,859,000	£4,318,000	£4,105,000	£3,313,000	R	Includes £1.2m Gf contribution	Annual - In Plan	Financial Control
14a	Cumulative DSG Surplus/Deficit - before safety valve funding and grant received in advance	£27,921,000	£31,465,000	£32,239,000	£32,026,000	£31,234,000	G		Annual - In Plan	Financial Control
14b	Cumulative DSG Surplus/Deficit - before safety valve funding	£27,921,000	£31,465,000	£31,139,000	£30,926,000	£30,134,000	G		Annual - In Plan	Financial Control
15	Cumulative DSG Surplus/Deficit - after safety valve funding	£9,821,000	£9,465,000	£9,139,000	£8,926,000	£8,134,000	G		Annual	Financial Control
16	Funding gap as % of HNB allocation	-24.83%	-18.85%	-22.86%	-22.59%	-19.63%	R		Annual	Financial Control
17	Early Years outturn	£-358,000	£-750,000	£-467,000	£-623,000	£-586,000	R		Annual - In Plan	Financial Control
18	HNB DSG allocation	£25,689,881	£27,969,000	£28,940,089	£29,036,089	£29,018,089	G		Annual - In Plan	Financial Control
19	Block transfers	£662,800	£462,000	£656,000	£656,000	£656,000	G		Annual - In Plan	Financial Control
20	General Fund	£1,200,000	£1,200,000	£1,200,000	£1,200,000	£1,200,000	G		Annual - In Plan	Financial Control
21	Savings / mitigation < 16 HNB only	£879,000	£495,500	£316,960	£455,500	£389,760	A		Annual - In Plan	Financial Control
22	Savings / mitigation > 16 HNB only	£26,000	£490,500	£196,627	£311,500	£294,104	R		Annual - In Plan	Financial Control
23	Average cost - all HNB 2 - 18	848	873	934	935	912	R		Annual	Value for Money
24	Savings / mitigation - HNB only	£905,000	£986,000	£513,587	£767,000	£683,864	A		Annual - In Plan	Value for Money
25	Average placement cost < 16s	£16,510	£15,989	£16,171	£16,162	£16,900	R		Annual	Value for Money
26	Average placement cost > 16s	£13,838	£11,521	£13,687	£13,393	£12,829	R		Annual	Value for Money
27	Average cost of an independent < 16	£33,873	£32,314	£34,959	£32,955	£33,855	R		Annual	Value for Money
28	Average cost of maintained / academy special school - in borough	£30,413	£28,937	£28,709	£30,505	£29,008	A		Annual	Value for Money
29	Average cost of maintained / academy special school - out borough	£31,102	£27,748	£29,901	£30,482	£31,192	R		Annual	Value for Money
30	Average cost of an independent > 16	£38,079	£33,029	£39,206	£38,276	£39,306	R		Annual	Value for Money
31	Average cost of FE colleges > 16	£2,459	£2,630	£4,342	£3,698	£2,839	A		Annual	Value for Money
32	Average cost of ISP > 16	£38,699	£28,326	£31,026	£31,355	£32,227	R		Annual	Value for Money
33	Average cost of in borough special school > 16	£28,737	£25,198	£22,826	£25,120	£28,721	R		Annual	Value for Money
34	Average placement cost - alternative provision	£16,768	£17,343	£16,526	£16,526	£16,579	G		Annual	Value for Money
35	Average cost of an Education, Health and Care Plan (EHCP)	£20,837	£20,274	£20,765	£20,643	£20,783	A		Annual - In Plan	Value for Money
36	% of spend in: the independent, non-maintained special school and independent college sector	28.42%	29.04%	27.72%	26.84%	27.09%	G		Annual	Value for Money

KINGSTON FINANCIAL MODEL	2022/23					Variance	RAG
	Financial Model	Q1 (MAY)	Q2 (AUG)	Q3 (DEC)			
	£m	£m	£m	£m	£m		
HNB allocation	27.969	28.940	29.036	29.018	1.049	G	
Budget additions (transfers)	0.462	0.656	0.656	0.656	0.194	G	
<b>Total budget</b>	<b>28.431</b>	<b>29.596</b>	<b>29.692</b>	<b>29.674</b>	<b>1.243</b>	<b>G</b>	
<b>HNB expenditure before savings</b>	<b>34.226</b>	<b>36.070</b>	<b>36.362</b>	<b>35.399</b>	<b>1.173</b>	<b>R</b>	
Increased places in Specialist Resource Provisions (SRP)	-0.036	-0.125	-0.136	-0.136	-0.100	G	
Review of SRP vacant place funding	0.000	0.000	0.000	0.000	0.000	G	
Increased special school places	-0.090	-0.057	-0.023	-0.045	0.045	A	
Development of post 16 offer	-0.121	-0.062	-0.015	-0.085	0.036	A	
Improved commissioning practice including annual reviews	-0.489	-0.098	-0.489	-0.347	0.142	R	
Contributions from other partners (health & social care)	-0.250	-0.170	-0.104	-0.071	0.179	R	
<b>HNB expenditure after savings</b>	<b>33.240</b>	<b>35.556</b>	<b>35.595</b>	<b>34.715</b>	<b>1.475</b>	<b>R</b>	
<b>Net HNB deficit</b>	<b>4.809</b>	<b>5.960</b>	<b>5.903</b>	<b>5.041</b>	<b>0.232</b>	<b>A</b>	
Variance in other DSG blocks	-0.750	-0.443	-0.599	-0.529	0.221	R	
General Fund Contribution	-1.200	-1.200	-1.200	-1.200	0.000	G	
<b>Net HNB Deficit</b>	<b>2.859</b>	<b>4.317</b>	<b>4.104</b>	<b>3.312</b>	<b>0.453</b>	<b>R</b>	
<b>Net DSG deficit - cumulative before safety valve and additional grant RIA</b>	<b>31.465</b>	<b>32.239</b>	<b>32.026</b>	<b>31.234</b>	<b>-0.231</b>	<b>G</b>	
<b>Net DSG deficit - cumulative before safety valve</b>	<b>31.465</b>	<b>31.139</b>	<b>30.926</b>	<b>30.134</b>	<b>-1.331</b>	<b>G</b>	
<b>Net DSG deficit - cumulative after max safety valve and DSG Received in advance</b>	<b>9.465</b>	<b>9.139</b>	<b>8.926</b>	<b>8.134</b>	<b>-1.331</b>	<b>G</b>	

## SEND Futures Plan Update

### 1. Introduction

- a. Under the terms of Kingston's "[Safety Valve](#)" Agreement, the Council is required to report to the Department for Education on performance against conditions in the agreement on a quarterly basis. In January 2023, the Council will be reporting to the Department for Education (DfE) in relation to the Q3 payment, and the funding is expected to be received within the next few weeks. There is also confidence that local performance will be sufficient to receive the Q4 payment.
- b. The total number of Education, Health and Care (EHC) Plans at the end of December in Kingston was 1,626. The Safety Valve Agreement's five-year financial model has the total number of EHCPs at the January 2023 census as 1640. At the time of writing, it is predicted that the total number of EHCPs at the School Census on 19th January 2023 will be very close to the number forecast in this financial model. There is a continued need to focus on the content and number of requests for EHC needs assessments given how much these have increased over the past year. This continues to be closely monitored alongside work to ensure all parties meet their statutory duties.
- c. This year, the total number of applications for EHC needs assessments has increased in comparison to 2021. This increase in need has come at a time when waiting times for some services are already high, and the capacity within many services is limited. From January to December 2022, Kingston received 291 requests for EHC needs assessments. This represents a 23% increase from January to December 2021. Requests from parents and carers reduced from 24% of total requests in 2021 to 21% of total requests in 2022.
- d. In June 2022 the DfE published the report "[High needs budgets: effective management in local authorities](#)" which included ten recommendations for all local authorities to consider. Kingston completed a self assessment against those recommendations and as a result commissioned one of the authors of the report, Peter Gray to conduct an assessment of local practice against two. Peter's report is attached at Annex A.
- e. Publication of school progress and attainment data has now resumed after Covid. This data relates to the academic year 2021/22.
  - i. Children registered as SEN Support in Kingston primary schools made on average stronger progress from Key Stage 1 (ages 5-7) to Key Stage 2 (ages 7-11) than the national average for pupils with SEN support in England in English and maths, and slightly worse progress in writing. Young people registered as SEN support in Kingston secondary schools made better progress from Key Stage 2 to Key Stage 4 (14-16) than children on SEN support nationally.
  - ii. Children with an EHC plan in Kingston primary schools made slightly worse progress in English, writing and reading than the same cohort nationally. At secondary school those with an EHC plan made better progress than the same cohort nationally.

### 2. Workstream 1: Co-production, engagement, and participation

#### Impact and progress

- i. Huge thanks are due to [Kingston's Parent Carer Forum](#) for their ongoing work. They have recently reinforced their operating model by recruiting a part time administrator and members of their steering group attend monthly Parent Consortium meetings with senior officers from across the local area (representing education, health and social care). [Notes of these meetings are here](#), with key priorities

recently raised by parents and carers including the phase transfer process from primary to secondary school for those both with and without an EHC plan, the importance of communications between families and schools, and the use of the SENDIASS service.

- ii. The number of registrations with Kingston’s SEND Register exceeded 1000 for the first time in January, with an approximately 50:50 split between families with EHC plans and those without. The register is an excellent vehicle for partners to communicate with families and to raise awareness of the support that is available locally for them and their children. The regular newsletters sent to those registered also highlights opportunities for families to have their views heard about improvements they would like to see and ways they can become involved in future service design. [Families can sign up to Kingston’s SEND Register here.](#)
- iii. Part of the reason the SEND Register continues to grow is that our [SEND Parent Champions](#) and [SEND Parent Carer Engagement Officers](#) are raising awareness by attending events at schools and other community events. Please contact [Rob Harris](#) if you have any parents or carers who would like to become SEND Parent Champions or if you would like a member of the team to attend an event.

**Areas of concern**

- i. The post of Participation Officer for Children and Young People with SEND was vacant during Q3. The good news is that this post has now been filled with the new colleague starting in Q4.

**3. Workstream 2: Joint Commissioning**

**a. SEND Placement Commissioning**

- i. The reduction in expenditure target for the SEND Placement Commissioning Team (established in April 2022) for Kingston is £489,000, with performance at the end of 2022/23 Q3 £346,783 (71% of target).
- ii. Included in these reductions in forecast expenditure are agreements with colleges with whom cost agreements have been made for continuing learners. The commissioning team is currently meeting with other local colleges to discuss their proposed fee uplifts. In Kingston, the total reduction in fees for the 2022/23 financial year is £39,284.84 for continuing learners and £169,486 for new learners. This means that we are confidently predicting that we will have exceeded the Kingston Safety Valve target for SEND commissioning by the end of the financial year.
- iii. The following table demonstrates fee uplift requests and outcomes for independent schools, independent non-maintained special schools, further education, post-sixteen independent colleges and special academies, for 22/23 academic year:

		Requested fee uplift		Agreed fee uplift	
		Total requested cash value	Average requested fee uplift	Total agreed cash value	Average agreed fee uplift
Number of requests	31 providers fee uplift requests across 102 learners				
Range	1.9% - 3% (7 providers - 12 learners)	£18,791	2.60%	£9,676	1.43%
	3.1% - 4% (4 providers - 14 learners)	£11,518	3.67%	£8,906	3.37%
	4.1% - 11.89% (20 providers - 76 learners)	£70,487	5.95%	£36,063	4.43%

<b>Average Requested</b>	5.24%	4.03%
<b>Total cash value</b>	£100,796	£54,646

#### **b. Improving processes within commissioning**

- iv. As of January 2023, 80% of our contracts with independent providers have now been returned. Developing stronger relationships with schools has led to a school in a neighbouring local authority agreeing not to impose a fee lift without discussion, and also not to charge AfC for a student leaving mid-year.
- v. The commissioning team has developed a contact list for the use of SEND teams when consulting for high-cost providers. This contains all the information given to us by providers, which will then be added to with their OFSTED rating. This is currently in draft format and is being trialled this academic year.
- vi. The team has also developed a provider-based risk register that takes into account the following: legal status, contract status, feedback from SEND teams, fee increases, and Ofsted rating. This is used to prioritise meetings with providers. Negotiations are also completed at an early stage.
- vii. The commissioning team has worked on improving the transparency of commissioning costs by introducing forms that ask for a detailed cost breakdown as well as listing what is included in a placement cost to avoid unexpected/hidden costs in the future. This includes joint-funded placements with a focus on value for money and individual cost negotiation, cost comparison, benchmarking and a review of additional costs.

#### **c. Special Educational Needs & Disabilities Information Advice & Support Service (SENDIASS) Recommissioning**

- i. The SENDIASS recommissioning is progressing on track and the new contract will start at the beginning of the next financial year.

##### **Areas of concern**

- i. The key concern is that the South London Commissioning Partnership is ending in January 2023. However, due to the work carried out during the summer we are ready to move to the [Commissioning Alliance](#). There may be a slight lag but as fee increase decisions are made over a period of three months, this should not have an impact.

#### **4. Workstream 3: Local provision**

##### **Impact and progress**

##### **a. Therapies**

- i. Providers have agreed on the list of Key Performance Indicators for each therapy service area that will be monitored from January 2023 onwards. These are currently being prepared with data teams and will be reported monthly where possible.
- ii. The list of outcome measures has also been agreed by providers, which will be monitored starting in 2023 and reported annually. The outcome measures have been developed with the Parent Carer Forums and will seek to capture the experience of children and young people and their families when they are accessing therapy services. The measures are for the most part consistent across all providers, but some minor amendments have been made to reflect the different deliveries of each of the types of therapy. The responses will either be captured via an annual survey, which will be launched in 2023, or via a link

to a survey that will be sent out when communications are sent between providers and parents. The results will then be collated and will be reported on in 2024.

- iii. A Therapies Oversight Group meeting was held on the 12th of December 2022 to discuss the approach to spot-commissioning. Analysis is currently being undertaken to better understand the cost of the therapy that is being spot-commissioned and to develop a new approach going forward. One potential option that is being considered is giving the spot-commissioning budget to the existing main providers to enable them to recruit more staff to deliver this provision instead of relying on other, more expensive providers. Further work will be undertaken in this area in early 2023.
- iv. A briefing paper has been prepared that is being discussed at a senior level within the ICB. The paper highlights current risks and issues about the lack of increase in provision to account for the increase in the number of children at special schools and Specialist Resource Provisions; the inconsistent provision post-16; and the need for investment to increase therapeutic intervention at an early stage by non-therapists to prevent needs escalating. The paper also proposes a new approach to spot-commissioning going forward.

#### **b. Emotional wellbeing and mental health**

- i. A final two Kingston schools have been engaged to join the [Mental Health Support Team](#).
- ii. Parents have continued to provide positive feedback about the Autism Spectrum Condition (ASC) post-diagnosis programme delivered by the [Emotional Health Service](#).
- iii. The roll out of the [Quantitative Behavioural \(QB\) Test](#) for ADHD will begin in March 2023. This is a computer based test that combines attention and impulse control measurements with activity recordings collected by an infra-red camera. This test will help to improve our ADHD assessments.

#### **c. Local Places**

- i. Construction has now started on the new Spring School. The next steps will be to work with the Department for Education and Ambitious about Autism to amend the Spring School's admissions policy.
- ii. Permanent accommodation for Malden Oaks's post-16 provision is on course to be open by May/June 2023. In addition, the temporary use of the Star Centre was successfully managed.
- iii. Work on a new reception class at Surbiton Children's Centre Nursery has continued and is now close to completion. The goal is to ensure additional places are provided for September 2023.
- iv. Planning permission has been given for work to begin on adapting the road around Robin Hood School which will help to enable bespoke Specialist Resource Provision drop-off/collection.
- v. A feasibility report has been commissioned for the reconfiguration of an Autism Spectrum Condition (ASC) Specialist Resource Provision at Knollmead Primary School.
- vi. Next steps with expanding local specialist provision include commissioning a feasibility report for the Cullum Centre at The Kingston Academy. Future consideration will also need to be made around how best to reconfigure the Orchard Hill College & Academy Trust post-16 SEND campus proposal. In addition, progress will need to be made with St Philip's vocational centre in the next three months.
- vii. Achieving for Children (AfC) will also work with Kingston College within the next few months to secure space for Social Emotional and Mental Health provision to mirror Malden Oaks.



#### **d. 16 to 25 Years**

- i. There have been no significant changes in this area since November. Work on promoting the Local Offer across colleges and schools has continued in order to improve access to resources on transition.
- ii. Kingston Local Authority has continued working with the National Development Team for Inclusion to run the [Employment Forum](#), where young people with SEND can start exploring future employment opportunities. This has led to increased collaboration with the voluntary sector and parents of children and young people with SEND in order to broaden the reach of the forum. Trend data from [Next Steps](#) discussions with careers advisors has been analysed, and will also be used to inform the Employment Forum and to map out a sufficiency strategy.
- iii. Work has continued with schools and colleges around our Preparing for Adulthood provision.

#### **Areas of concern**

- i. Currently, there is an insufficient number of reception places available in Kingston Schools for the September 2023 cohort with EHCPs.
- ii. Progress on the establishment of the Cullum Centre at The Kingston Academy; St Philip's vocational centre; and the Orchard Hill College & Academy Trust post-16 SEND campus has not been as fast as we would have hoped.
- iii. AfC will be working with Ambitious about Autism to adapt the admissions policy for the new [Spring School](#) in Chessington.
- iv. There has been an increasing number of referrals for anxiety-based absences from school, this has had an impact on attendance in schools.
- v. There are growing risks for Health and the local authority / Achieving for Children due to difficulties in delivering therapies provision, particularly at a statutory level. Specific issues have been identified in relation to growth in Special Schools and Specialist Resource Provisions, such as inconsistent provision post-16; and lack of investment for early therapeutic intervention.
- vi. Difficulties in recruitment has meant there have been some staffing challenges in the Emotional Health Service team for children and young people with disabilities.

#### **5. Workstream 4: Early intervention and transitions**

##### **a. First 1,001 Days and Early Help**

- i. The Family Survey was sent out, and has now had over 300 responses from families (Kingston and Richmond). These responses will now begin to be collated and analysed and the findings shared with the relevant stakeholders and partners. It is hoped that these findings will result in better planning around the Early Help offer and the Family Hub model following this.
- ii. The Health Visiting service in Kingston has implemented the Maternal Early Childhood Sustained Nurse Home-visiting (MESCH), a parenting programme to support and help families through the transition to parenthood from pregnancy to child age 2 years.
- iii. Supporting Families consultants have been appointed to support the partnership early help offer.
- iv. The next steps will be to ensure there is stronger alignment with Kingston Council's corporate plans for Start Well/Best Start in Life.

## Areas of concern

- i. Attendance at the Resilience Networks is not as high as we would like.
- ii. Families are currently experiencing a high level of need due to factors such as the cost of living crisis, the aftermath of the pandemic and mental health needs.

## 6. Workstream 5: Assessment and planning

### Impact and progress

- i. Work is currently underway to improve holistic outcomes on EHC needs assessments through streamlining paperwork and holding a core multi-agency meeting to discuss aspirations and shared outcomes.
- ii. A next step will be to develop some locality training on outcomes with a cluster of primary and secondary schools in Kingston.

### Areas of concern

- i. Timeliness of advice as part of EHC needs assessments continue to fluctuate for a range of reasons including the capacity of various teams of practitioners. This has the potential to have an impact on the timeliness of the issuance of EHCPs.
- ii. Significant work remains to be done to improve the annual review process. This requires a whole system response across all of education, health and care and is the subject of the main agenda item at this meeting.

## 7. Financial update

	Budget £m	Outturn £m	Variance £m	Future Demand £m	Variance incl Future Demand £m	Previous Forum Variance £m
2022/23 DSG Outturn						
Schools Block	121.448	121.481	0.033	0.000	0.033	0.000
Central School Services Block	1.065	1.090	0.025	0.000	0.025	0.025
Early Years Block	13.058	12.472	(0.586)	0.000	(0.586)	(0.597)
High Needs Block	29.674	34.565	4.891	0.150	5.041	5.834
<b>Sub-Total</b>	<b>165.245</b>	<b>169.608</b>	<b>4.362</b>	<b>0.150</b>	<b>4.512</b>	<b>5.262</b>
2021/22 Carry forward	(9.820)	0.000	9.820	0.000	9.820	9.820
Safety Valve Funding	5.000	0.000	(5.000)	0.000	(5.000)	(5.000)
Council Funding	1.200	0.000	(1.200)	0.000	(1.200)	(1.200)
<b>Total</b>	<b>161.625</b>	<b>169.608</b>	<b>7.982</b>	<b>0.150</b>	<b>8.132</b>	<b>8.882</b>

Megan Francis-Falkner  
SEND Policy & Project Coordinator  
[megan.francis-falkner@achievingforchildren.org.uk](mailto:megan.francis-falkner@achievingforchildren.org.uk)

Ashley Whittaker  
Programme Director  
[ashley.whittaker@achievingforchildren.org.uk](mailto:ashley.whittaker@achievingforchildren.org.uk)

## RBK - SEND FUTURES PLAN RISK REGISTER - January 2023

Risks	Impact	Strategy	Actions	Risk Score
<b>Partnership Board</b>				
Lack of partner engagement and shared ownership of the plan with resultant lack of investment	There is no or limited traction in delivering the system change and behaviours that are necessary to transform services and achieve better outcomes for children and young people with SEND within the financial resources available.	Mitigate	Provide strong leadership of the SEND Partnership Board. Maintain current engagement from all key partner agencies to the vision, shared values and key activities. Obtain support from the Health and Wellbeing Board. Maintain the current schedule of regular meetings and reporting to share progress and achievements and escalate through formal channels as needed to ICB.	High
Ineffective governance of the SEND Partnership Board and workstreams.	There is a lack of focus and pace in delivering activities, and drift and delay in decision making. There is duplication and mixed messaging from partnership boards and other organisations working in this arena, including the Health and Wellbeing Board, SEND Partnership Board and Schools Forum.	Mitigate	Strengthen governance structures that are all clearly understood and adhered to by all stakeholders, and supported by additional project management capacity. Ensure there is effective stakeholder representation on the SEND Partnership Board and six workstreams. Deliver a detailed communications plan.	Moderate
Lack of capacity and capability to drive and deliver transformation.	Key activities in the plan cannot be delivered within the timescales necessary. Partner organisations, parents and carers lose faith in their ability to achieve system change.	Mitigate	Sufficient resources from all partner organisations are allocated to deliver the activities in the plan. There is strong senior leadership of the workstreams. There is a programme to upskill the workforce to deliver the plan. Additional resources and expertise are sourced externally where this is required.	High
Lack of agreement on how DSG funding is shared between different blocks.	There is a significant financial gap in the plan which will need to be met from other activities.	Mitigate	Build consensus across the whole system for how DSG funding should be shared. Continue discussions with the Department for Education on the national DSG funding formula. Contingency plans are established to allocate the funding shortfall to other actions within the plan.	High

The impact of the COVID pandemic on the needs of children and young people	The pandemic has had a significant impact on increased levels and complexity of need.	Mitigate	Frequent communications between agencies, providers and families to identify and respond to related matters as quickly as possible. For those with an EHC plan, the annual review process will provide more information, as will the volume and content of EHC needs assessments requests	High
<b>SEND Futures Plan: All workstreams</b>				
Increased level and complexity of need	As previously reported we are continuing to see increased levels in need, in both volume and complexity, across the borough.	Mitigate	All workstreams are playing a role e.g Workstream 2 is leading the improvement of therapy provision, Workstream 3 is working to expand local specialist provision, early identification and intervention practice is promoted by Workstream 4, and Workstream 5 is strengthening the processes relating to EHC needs assessments	High
Inability to recruit professionals into certain roles across the service. Specific examples of this in certain services are: Educational Psychologists, Clinical Psychologists, Occupational Therapists, Physiotherapists, Speech &	<p>This will impact the progress of the SEND Futures Plan as there may be insufficient capacity or skill in certain areas to drive the agenda forward. This may also impact other service areas and delivery on the SEND Futures Plan as they will have reduced capacity to deliver.</p> <p>There is a risk that shortage of staff will lead to a lack of available / appropriate staff, causing a struggle to deliver statutory duties in a timely manner and insufficient capacity, skill and expertise within the service to drive up the quality of work and maximise the benefits.</p>	Mitigate	<p>The following actions are being taken:</p> <ul style="list-style-type: none"> <li>- Job profiles, salary levels, adjustment to T&amp;Cs and salary/ contract alignment with other providers and the recruitment process attract good candidates with relevant expertise and experience.</li> <li>- There is an effective induction, development and support package available to all professionals involved.</li> <li>- We are working with all providers and the AfC Workforce Board to combat recruitment and retention issues within the services. Creative solutions are being sought across the service to combat current recruitment issues.</li> <li>- Flexible working arrangements are available including secondments from schools.</li> </ul>	High

Language Therapists and SEND Case Workers.				
Implementation of the Integrated Care System (ICS) and the impact on the SEND system	There remains some uncertainty about future arrangements for health provision and SEND services and what this means for children and young people. There may be an impact on delivery and health provision in the borough moving forward.	Mitigate	Ensure SEND receives sufficient profile and prioritisation at local ICB and regional ICS level. Escalate to ICB Executive as necessary.	High
Uncertainty regarding the funding split between Education, Social Care, Health and Adult Services	Future financial uncertainty and inability to forward plan due to funding arrangements not being transparent. Longer term putting financial pressure on the DSG.	Mitigate	Continue to improve joint commissioning arrangements and funding panels, especially at 16 to 25 years so that all partners meet their statutory duties	High
<b>Workstream 1: Participation , Engagement and Co-production</b>				
Inability to secure an effective and engaged parent-carer forum (PCF) that is able to work collaboratively in the SEND partnership.	The voices and opinions of parents and carers do not inform strategic decision-making. Implementation of the plan is not successful as parents are not informed, aware or signed up to the system change required.	Mitigate	Build and maintain strong relationships between the PCF Chair and steering group and senior officers in the local area. PCF membership of the SEND Partnership Forum and workstreams. Use the new investment / SEND Parent Carer Engagement Officer to support the PCF. Implement and embed the new partnership working agreement across the partnership.	Moderate
<b>Workstream 2: Joint Commissioning</b>				
Commercial negotiations with	Placement costs are not reduced, meaning that additional savings have to be found from other areas of the plan.	Mitigate	The strategic approach to commissioning is strengthened through improved commissioning practice and processes	High

SEND providers are unproductive. Costs of placements continue to increase through provider costs, inflationary pressures and supply/demand pressures.	Additional pressure of inflationary increases are impacting the cost of placements and making further negotiations challenging. Due to the demand for specialist places and lack of available spaces, in-borough and regionally, costs are increasing.		including through the new (April 2022) SEND Placement Commissioning Team and the wider work of this workstream.	
Future uncertainty around joint commissioning once ICS is implemented.	There remains some uncertainty around processes in the workstream and also for the services that are being provided to children, young people and their families.	Mitigate	Joint working between the ICS, AfC and the council's Adult Social Care team needs to be strengthened. Clarity to be provided by the ICS on future arrangements. The joint commissioning strategy has been reviewed under workstream 2 to ensure that the changes to the ICS are considered alongside our strategy.	High
<b>Workstream 3: Local Provision</b>				
Support from schools for the local SEND provision plan is not consistent or sufficient to create the additional school places required.	There are insufficient local special school places to meet the needs identified in the SEND provision plan, making the Council more reliant on maintained and special schools outside the borough and on non-maintained and independent school provision	Mitigate	There is effective engagement and communication with schools through existing networks to agree to the local provision plan. Proposals are based on a detailed analysis of local needs. Good consultation with schools and other stakeholders leads to strong proposals and well managed plans to develop new provision.	Low
Parents and carers do not feel confident that	There is an increase in the number of disputed EHCPs and appeals to the First-Tier SEND Tribunal on the basis of parental preference. The workload for SEND professionals	Mitigate	There is a clear strategy to promote the resources and facilities available in local provision and the outcomes they achieve for children and young people with SEND.	Moderate

local mainstream schools, specialist resource provisions and special schools are able to meet their child's assessed needs.	is increased and there is a potential for the tribunal to direct that the local authority makes alternative and higher cost provision.		The quality of local provision is actively promoted by all practitioners in their relationships with parents and through their professional networks.	
Lack of available specialist places	That there are not sufficient specialist places within the borough, or out of borough and children and young people may be left without appropriate provision. Lack of specialist places is also increasing the price of placements and therefore increasing overall spend.	Mitigate	Ensure that the development of new specialist placements including the new special free school open as soon as possible. This will need collaborative work from multiple partners and looking for alternative solutions wherever possible. Continue to ensure mapping of appropriate provision. Escalate matters relating to free school delivery with DfE through Safety Valve process.	High
Local therapy provision is unable to be delivered to meet the identified needs of children with disabilities.	Children's therapeutic needs cannot be met locally leading to placements in more specialist school provision and at a higher cost. Strain on the therapies service means that there is less support/ provision for early intervention and SEN support.	Mitigate	The recommendations of the therapy review are implemented asap, updated for the increase in need since then, and sufficient funding and resources secured. Escalate to ICB executive as required. Restart contract monitoring in early 2023.	High
Emotional wellbeing and mental health needs amongst children and young people with and without SEND increase	Expenditure from the High Needs Block increases to meet their needs.	Mitigate	Develop the universal early intervention offer, recruit and redeploy staff to meet needs as quickly as possible and prevent escalation where possible, develop iThrive model asap. Implement the CAMHS Transformation Plan in early 2023.	High



Increased waiting times for CAMHS, EHS and therapies.	Waiting times are increasing and therefore children and young people are not getting the support they need early or quick enough.	Mitigate	As per two previous risks.	High
<b>Workstream 4: Early Interventions and Transitions</b>				
School professionals do not support inclusion and early intervention, or there is inconsistent support across schools.	Children and young people with SEND cannot be supported within mainstream schools or specialist resource provisions, meaning that they have to be transferred to special schools or non-maintained and independent schools at a higher cost.	Mitigate	There is effective engagement and communication with professionals through the SENCO and headteacher networks. There is an effective learning, development and support offer to schools to support inclusive practice. The shape of the offer is informed by learning from EHCP assessments, tribunals and other feedback.	Moderate
Phase transfer for children and young people is not planned early enough and is not as effective as it could be	Young people and adults with SEND do not receive the support they need in a timely way from the appropriate services during phase transfer. Ineffective transition between phases not being planned early enough may impact the new placement setting not being properly equipped and also the child/ young person not receiving the support they need. Poorly planned transitions between phases of education may see escalating level and complexity of need.	Mitigate	Review transition practice (pathway planning, information sharing, staff briefing / training etc) at all early years, schools and colleges, for both SEN Support and EHCPs, to identify best practice and share widely to support improvements where gaps exist. Transition framework being developed and has been produced in collaboration with school partners, AfC colleagues, parents and carers and children and young people	Moderate
Schools having limited capacity, funding and resources to deliver on inclusivity and deliver change on SEND practice.	The quality of support inclusion and early intervention does not improve at the required pace and therefore children and young people are not supported at the earliest opportunity. There is inconsistent support across the schools in the borough. The influence that AfC can have with academy schools on inclusion is limited which creates barriers to improving this across the borough as a whole. Schools are	Mitigate	The Inclusion Charter to be embedded throughout the school system and adopted by schools across the borough. Regional School Commissioner to be made aware of this risk and what impact this has with academy schools. SENDCO network to be aware of the graduated response triangle and the options of early intervention that are available to them, this will assist with schools being more	Moderate

	experiencing lots of different pressures which are impacting their ability to deliver on the SEND agenda.		inclusive. Deliver recommendations of Peter Gray's January 2023 report being considered by Schools Forum in the same month.	
<b>Workstream 5: Assessment and Planning</b>				
Annual EHCP reviews and updates to plans following quality assurance require substantial changes to plans.	There is insufficient capacity within the SEND service to make required changes to EHCPs. Proposed changes to plans result in parental challenge, disputed EHCPs and appeals to the SEND tribunal, which may result in higher cost provision.	Mitigate	The management structure and staffing of the SEND service is regularly reviewed to ensure sufficient capacity. There is a priority programme for annual EHCP reviews and quality assurance and this is well coordinated and managed by specific senior staff. There is engagement with parents and carers. Assessments and plans are well evidenced by all contributing professionals.	High
Annual EHCP reviews do not reduce the costs of individual plans to an affordable funding level that meets the child's or young person's needs.	Proposed changes to plans result in increased parental challenge, disputed EHCPs and appeals to the SEND tribunal, which may result in higher cost provision	Mitigate	Annual EHCP reviews and quality assurance are well coordinated and managed. There is engagement with parents and carers. Assessments and plans are well evidenced by all contributing professionals.	High
The SEND service does not have the systems, processes and support it needs to drive up the quality of EHCP assessments and plans.	The quality of EHCP assessments and plans does not improve at the required pace. EHCPs do not robustly and sufficiently evidence how and where children's and young people's education, health and care needs can be met. This may result in increased parental challenge, disputed EHCPs and appeals to the SEND tribunal, which may result in higher cost provision.	Mitigate	There is a priority programme for annual EHCP reviews and quality assurance.	High
Annual review	Schools not completing Annual Reviews on time impacts	Mitigate	Providing relevant training to schools through various	High

process being late and lack of capacity for SENDCOs to complete in line with person centred approach	timeliness therefore meaning that reviews will not be delivered within statutory timeframes. Annual Reviews not being person centred will affect independence of the child/ young person and may not see their aspirations or needs met whilst they are at school.		forums including Headteacher meetings and SENDCO forums to inform them of the process, statutory duties and the impact of late annual reviews. Whole system holistic outcome training is being delivered to embed the person centred approach and ensure that SENDCOs are trained to the appropriate level to deliver.	
Advice required from health and social care professionals not being timely or of the required quality	This is one of the biggest factors in the delay of an EHC Plan/ Annual Review beyond the statutory deadlines and is having a detrimental impact on that statistic.	Mitigate	Joint working with the ICS to find solutions to the shortage of health professionals across the service is being undertaken and creative solutions are being adopted where possible. The timeliness of advice is mainly due to inability to recruit and retain staff; there are actions listed under the "Inability to recruit and retain professionals" risk earlier in the risk register.	High
<b>Workstream 6: Transitions and pathway planning (NB: this workstream is in the process of being established in Kingston)</b>				
Transition arrangements between children's services and adult social care services are not always consistent.	Young adults with SEND do not receive the support they need in a timely way from the appropriate services. Ineffective transition and working arrangements between children's services and adult social care lead to fragmentation and build higher costs into the system.	Mitigate	The preparation for adulthood strategy and transitions protocol facilitates early consideration and planning for young people's transition. Funding responsibilities are made clear within the protocol and are agreed in each individual case.	High
Lack of awareness of transition pathways across the system	Transitions for CYP will not be clear, defined or identified early enough. Pathways will not be successful for CYP in supporting them into adulthood and providers will not be able to support as needs will not be identified early enough by relevant partners.	Mitigate	Continuation of multi agency workstream meeting; with a clear focus and collaborative approach to improving pathways for CYP, to ensure that there is a joint understanding of the different transition pathways. To ensure that pathways, where possible, are aligned and that they are developed to ensure that the transitions pathway is as clear and defined as it can be for CYP.	High
Lack of	That health transitions for this cohort will not improve due	Mitigate	Ensure ICB Executive is aware of statutory duties and	High

engagement from health partners for the 18-25 year old cohort	to lack of representation (including through vacant posts) from individuals that can affect change		that vacant posts filled as matter of urgency. Ensure that Health staff are participating and engaged in the work that is happening in the Transitions Board and the workstream so that transitions for this cohort can be improved in health	
Lack of engagement from key partners in improving the transitions process	Actions cannot be completed as partners not engaged and contributing	Mitigate	Workstream 6 Group being established to lead the work - this will be used to hold partners to account and ensure they are fully engaged.	Moderate