

SEND Futures Plan Update

1. Introduction

- a. Under the terms of Kingston's ["Safety Valve" Agreement](#), the Council is required to report on performance against conditions in the agreement on a quarterly basis. [In September the Council reported to the Department for Education \(DfE\)](#) in relation to the Q2 payment and the funding was received. There is confidence that all conditions within the agreement will be met for this year.
- b. The total number of Education, Health and Care (EHC) Plans at the end of October in Kingston was 1,621. The Safety Valve Agreement's five year financial model has the total number of EHCPs at the January 2023 census as 1640. The recent increase in the total number of EHCPs means Kingston is likely to exceed this forecast. There is therefore a continued need to focus on the content and number of requests for EHC needs assessments and to ensure that all parties are meeting their statutory duties with regard to supporting children and young people with special educational needs and disabilities.
- c. There has been an increase in the total number of applications for education health and care needs assessments. This reflects the increase in the number of children and young people presenting with needs that cannot be met without an education, health and care plan. This increase in need is at a time when waiting times for services is in some cases already significant and the capacity within many services already very stretched. From January to October 2022 inclusive, Kingston received 249 requests for EHC needs assessments. This represents a 21% increase on the same period in the prior calendar year. Requests from parents and carers reduced from 25% of total requests to 21% of total requests.
- d. There continues to be a shortage of specialist education places for children and young people with SEND. This problem has become increasingly significant in the past three months, with the number of young people needing specialist education places rising.
- e. Kingston and Richmond's SEND Futures Conference 2022 was held on 12 October. More than 300 delegates attended including about 55 parents and carers and practitioners from 135 different organisations (this data spans both boroughs). Speakers included two of the highest profile people in the SEND system nationally who discussed matters prominent in the recent [SEND green paper](#). They were 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. They focused on next steps with the recent SEND green paper "Right support, right place, right time" and responded to a range of priorities identified by our parents and carers. There were also a [range of workshops](#) delivered by both local parents and practitioners, and experts from further afield with national reputations. Feedback from delegates included:
 - 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. The commitment and dedication of staff which was also 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 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.The SEND Partnership Board will consider the output of the conference in more detail under a specific agenda item.
- f. Between the 4th and 6th of October 2022, Ofsted and the Care Quality Commission (CQC) revisited the area of Kingston upon Thames to assess the progress that has been made in addressing each of the areas of significant weakness identified in the [local area's SEND inspection in September 2018](#). The outcome of the revisit was that the inspectors deemed the area to have made sufficient progress in addressing all four areas. Whilst this external verification of the improvements that have taken place

across the SEND system over the past four years is welcome, [the letter from inspectors](#) outlining their findings includes examples of where families remain dissatisfied with the support received. Work to improve these areas, together with the other priorities identified within the SEND Futures Plan, will continue as before. Ofsted and the CQC will be introducing a new inspection framework for local areas' SEND arrangements in 2023.

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

Impact and progress

- i. The Ofsted and CQC revisit mentioned in 1(f) above included specific consideration of the quality of relationships between local strategic leaders and parents and parent representatives, including a parent carer forum. In their letter following the revisit, inspectors wrote that *"Area leaders have established a positive and productive relationship with the parent carer forum"*. They highlighted the appointment of a [permanent parent carer engagement officer](#) who they say is *"highly valued by parents"* and how parents talk *"positively about the difference this role is making in helping them to access advice and support"*. They also wrote about how the new [parent champion roles](#) are *"helping to share sources of advice and promoting the online local offer"* and of how their work is *"making a difference"*.
- ii. Importantly however, although the inspectors agreed that the area has made sufficient progress in addressing these relationships, they did highlight hearing from parents about a number of areas of continuing dissatisfaction. Parents and carers told them that whilst *"senior leaders understand the true spirit of co-production, this is not shared by leaders at all levels."* They also recorded that *"there are still a number of parents who remain dissatisfied with how well leaders understand and meet the needs of their children"*. In terms of other areas of next steps, they write that *"there are some groups of parents that leaders have yet to reach with their messaging and support, for example those from minority ethnic backgrounds and single parent families."* All these will be included in the priorities for the SEND Parent Carer Engagement Officers for the coming months.
- iii. The Participation Officer for Children and Young People with SEND departed AfC in August and a recruitment process to fill this currently vacant role is underway.

3. Workstream 2: Joint Commissioning

a. SEND Placement Commissioning

- i. Expenditure reductions in Kingston delivered by this new team (established in April 2022) are currently £269,775 against a target of £489,000 for the full year. A key element of the work to deliver this improved value for money has been discount arrangements with some schools in the independent sector where significant numbers of children and young people are being supported by the same provider.
- ii. The team has also worked on individual learner cases to deliver savings. A particular current focus is delivering a reduction in costs of EHC plans for learners moving to Further Education, and it is expected that the next report will be able to articulate the fruits of this specific initiative.
- iii. All 143 Specialist Independent and Further Education providers used by Kingston have now received the new national SEND contract, and 63% of these contracts have been returned, exceeding the target of 50%. Six schools have returned terms and conditions, which are being assessed for quality and financial risks for both Kingston and Richmond Local Authority. The benefit and impact of this high return rate is that once in place, the more robust contracts will provide a firmer structure from which to challenge fee uplift requests (e.g. providing a breakdown of funding for all young people at a placement).
- iv. The SEND Commissioning Team (SCT) is receiving increased referrals from the pre-14 SEND teams, leading to individual negotiations on fees. The SCT are also contributing to all SEND placement and funding panels in order to identify potentially high costs sooner and allow more proactive and timely

planning. Currently a process for detailed placement and financial requests is being trialled with SEND teams, in order to identify potential high-cost placements earlier.

- v. In the next three months, the team will continue to prioritise meeting with key high cost, high volume providers to arrange potential “bulk discounts”. These will increasingly become targeted on providers where fee negotiations/ bulk discounts for learner placements at key stage / phase changes can be most focused. The workstream will also work on finalising contracts to be able to focus on further building independent school relationships and identifying savings, and rolling out new processes for consultations to potential high cost placements

b. Special Educational Needs & Disabilities Information Advice & Support Service (SENDIASS) Recommissioning

- i. The process continues, and at time of writing the results of the tender are currently being evaluated. Everything remains on track for the new service to start at the beginning of April 2023.

Areas of concern

- i. Increasing inflation could potentially lead to fee increase requests from providers, applying more pressure on the Safety Valve Agreement, for example, Teachers’ Pensions.
- ii. High-cost post-19 placements currently cost up to £300k for 23 and 24 year olds and more work is required to better coordinate the local offer across education, social care and health to improve quality and value for money.
- iii. The unwillingness of high-cost, high-volume independent providers to enter into any fee or contract negotiations. The placement commissioning team continues to challenge pricing which is believed to be excessive.

4. Workstream 3: Local provision

Impact and progress

a. Therapies

- i. A new therapy offer has been agreed for young people at [South West Thames College](#), the cost of which, given the number of learners and their needs, is £30,000 less per annum than it would otherwise have been under previous arrangements.
- ii. There is also a new therapy offer for post-16 young people at [Nescot](#). The previous model was based on 1:1 arrangements whereas now, under a new provider for the college, it will be more aligned to a [balanced model](#) and enables the delivery of better value. Additional provision has also been added for those young people being supported by Mencap.
- iii. A paper will be considered at the Integrated Care Board in December to agree on the gaps in current therapy provision and set out the reality of increased costs so that the resource needed for existing and new provisions is fully understood at the highest level of decision making. Under the new Integrated Care System arrangements, there needs to be clear next steps to ensure that therapy investment is sufficient to meet the current and future needs of Kingston’s SEND population, including those with EHC plans up to 25 years old.
- iv. The Therapies Oversight Group continues to meet, with a number of task and finish groups established to undertake actions agreed. The Integrated Care Board has established a new SEND sub group to include areas of concern, including in therapy provision. Recruitment is needed for a project post to review all EHC plans and identify any gaps in provision.

b. Emotional wellbeing and mental health

- i. Five [Mental Health Support Teams in Schools](#) are becoming well established and the number of referrals received is increasing.
- ii. There have been a number of critical mental health incidents relating to AfC's local supported accommodation with support having been provided by the [Emotional Health Service](#).
- iii. A clinical team for children with disabilities is in the process of being established with referrals underway. The waiting time for choice assessment and treatment has reduced marginally.
- iv. A Quantified Behavioural Testing pilot scheme will commence in January 2023 as part of the ADHD assessment pathway, funded by the Integrated Care Board.

c. Local Places

- i. In September 2022 a six-place reception class for children with autism at Surbiton Children's Centre Nursery opened.
- ii. Robin Hood Primary opened a 14-place specialist resource provision (SRP) for children with social and communication needs including autism in September 2022.
- iii. As part of phase 2, an additional 16 places were opened in September 2022 at Malden Oaks's '6 Oaks' post-16 SRP for young people with social, emotional and mental health needs. However the permanent accommodation will not be available until late Spring 2023.
- iv. [The Spring School](#) is on course to open in September 2023, and an agreement has been reached with Ambitious about Autism in relation to the needs of the children whose needs will be supported. Work in identifying children for the first cohort is currently ongoing.
- v. Achieving for Children (AfC) are currently in the process of planning specialist placements for September 2023. An analysis of current information and data has revealed that the number of children and young people requiring specialist placements will be even higher for the next academic year, including in Early Years. Between now and September 2023 the number of children and young people requiring a specialist placement may also increase.

d. 16 to 25 Years

- i. Due to improved transition planning, fewer young people with an EHC plan who started a Kingston College placement in September 2022 have left within the first half term than in previous years.
- ii. Work to better link careers/education advice, information and guidance across colleges and schools, and to better develop and promote the local offer, is underway.
- iii. An Employment Forum has been established and has received good engagement. The forum is currently profiling what is available in the local area. The Department for Education will be giving £50,000 per area to support increasing supported internships.
- iv. A more joined up approach with Merton, Wandsworth, Surrey and Croydon Councils to deliver better value and SEND processes for South West Thames College has been adopted.
- v. The Kingston Transitions Board has been established with four key sub-groups (Learning Disability Pathways, health, Mental Health and Employment & Training). The priority will now be driving forward key objectives in these sub-groups, with performance being measured against agreed baseline data. This is co-chaired by the Director for Children's Services and the Assistant Director for Operations in Adult Social Care.

- vi. Joint finance meetings have been established between Adult Social Care, Health and Achieving for Children, resulting in joint problem solving and funding.
- vii. A future priority will be linking up special schools to colleges to develop pathways more formally, for example from Capella House.

Areas of concern

- i. Following the departure of two members of staff from the Clinical Commissioning Group / Integrated Care System, there is currently little progress with the implementation of the IThrive framework to support emotional wellbeing and mental health. (Replacement staff are due to start in January). There continues to be an average wait of one year from referral to emotion wellbeing and mental health support to the start of treatment.
- ii. For the same Health staffing reasons, health pathways into adult services remain under-developed and there is currently no Health lead. A key lead for transitions into adult social care services is also leaving the council in the autumn and new partnerships will need to be established.
- iii. Due to delays in decision making about therapy provision and future need, some children and young people are not currently receiving the provision they need and this is a significant concern and priority to resolve. Speech and language therapy is not being delivered in some new specialist resource provisions and there have been challenges in sourcing independent providers to deliver on spot commissioning requirements.
- iv. There are currently capacity challenges relating to delivering independent travel training.
- v. No significant progress has been made to identify a suitable site for the proposed post-16 SEND campus. The council are continuing to seek an appropriate site. If one cannot be found the scope of the proposal may need to be reduced. In addition progress towards creating the Willow Centre, a 14-16 vocational provision at St Philip's School, has been slow.
- vi. There has been a significant number of families moving into Kingston Borough since the start of the academic year, some of whom have children with SEND, and some have children with complex needs that require a specialist placement. Given that local specialist placements were already at capacity at the start of the academic term, these children will further increase a 'waiting list' of children and young people for whom specialist placement is needed and not available. Some of these children are being supported in mainstream schools as an interim measure, and some are being supported by tuition as no suitable school placement can be found.
- vii. The number of referrals for medical tuition relating to anxiety around attending school is increasing.

5. Workstream 4: Early intervention and transitions

- i. The [Ordinarily Available Provision](#) document has been completed and is now available on the Local Offer.
- ii. Feedback from schools on the new year 6-7 transition communication process was generally positive.
- iii. The Inclusion Charter and Toolkit is now with the branding team and will soon be made available online.
- iv. A practitioner from the Tier 3 CAMHS team has now been seconded to work with education services to assist with our [Emotionally Related School Avoidance Plus](#) (ERSA+) pilot programme (a programme designed to support more complicated ERSA cases). An education psychologist and a clinical psychologist will also soon be working on the ERSA+ project.
- v. Priorities for the coming months include further developing Key Stage 4 to 5 alternative provision pathways, and alternative provision and attendance strategies. The alternative provision work will

include seeking a solution to the current problem of the lack of building space to enable flexibility in the alternative provision pathways for children at risk of missing education.

6. Workstream 5: Assessment and planning

Impact and progress

- i. The Ofsted and CQC revisit mentioned in 1(e) above included significant scrutiny of the work of this workstream. Inspectors' comments included:
 - *"The quality of EHC plans has improved since the initial inspection. Leaders have significantly transformed the training for staff and the quality assurance of EHC plans".*
 - *"Leaders' quality assurance model is well embedded. They understand what a high quality EHC plan should look like. They are robust in their evaluations of EHC plans. They give regular feedback to coordinators and professionals on what needs to be better".*
 - *"Leaders have made significant investments to their systems and processes to manage the organisation and administration of annual reviews".*
 - *"The proportion of ARs (annual reviews) completed to statutory timescales has significantly improved since the initial inspection".*
- ii. The revisit also provided helpful verification of where further improvement work is needed. For example:
 - *"...some parents remain dissatisfied with the quality of their child's EHC plan. They think that plans should include more detailed information about health and social care needs, for example".*
 - *"there are still delays in making sure that the area responds to decisions on whether or not to amend the EHC plan within the four-week statutory timescale...this is causing frustration for some parents who rightly want their child's EHC plan to be finalised within the statutory timescale".*
 - *"...some parents still report that changes in staffing are frustrating. They do not always feel that a change in coordinator is managed and/or communicated well".*
- iii. The development of holistic outcomes training has continued, having been introduced at Dysart in September 2022. This has resulted in the development of a draft standard for outcomes for children and young people at Dysart and a proposal around development drop ins for Dysart staff. We are also looking to introduce parent/carer workshops for families at Dysart during this academic year. The Preparation for Adulthood Team have been developing resources and practice around developing holistic outcomes.
- iv. The annual review audit in Kingston reflects significant development in thinking about the aspirations and voice of the young person and timeliness of annual reviews. In addition, a refreshed annual review template has been introduced.
- v. Bimonthly quality assurance of EHCPs has continued with consistent involvement from across the system. Learning from the quality assurance meetings has led to deeper dive activity looking at quality of advice and more recently the quality of outcomes. The School Improvement Team have also been quality assuring implementation of EHCPs into schools.
- vi. Timeliness of advice as part of the EHC needs assessment process has continued to be analysed and some process issues have been identified.
- vii. Parent/carer webinars on holistic outcomes are set to be introduced within the next three months, in addition to parent/carer involvement in EHCP quality assurance. Within the next three months, there are also plans to develop a bank of examples of holistic outcomes.
- viii. There are plans to recruit a commissioning role for therapies, and investigate the possibility of a training offer on outcomes via clusters (primary to secondary). A Multi Agency annual review audit team has also been established.

Areas of concern

- i. Rate of moves to digitisation of the EHCNA process and development of EHCP.
- ii. Ensuring capacity for all services to be part of the development of proposed outcomes for EHCPs.
- iii. Timeliness of advice as part of EHC needs assessment continues to fluctuate for a range of reasons including capacity of various teams of practitioners. This has the potential to have an impact on the timeliness of the issuance of EHCPs.

7. Finance update

- i. Following the DfE's June 2022 publication "[High needs budgets: effective management in local authorities](#)", and an action plan arising from a self assessment of practice in Kingston against the recommendations in the report, Kingston has commissioned one of the author's of the report to review two aspects of local practice. These relate firstly to approaches to partnership with key stakeholders and secondly to innovative approaches to mainstream funding including the option of greater devolution of resources to individual schools/groups of schools. A report will be available for this board to review early in 2023.
- ii. The Borough is currently projecting spend of £170.525m on DSG funded education services in 2022/23 compared to a grant allocation of £165.263m (including recoupment), a reduction of £0.043m when compared to the projections reported at the previous forum. This represents a current projected overspend of £5.262m, including £0.500m for EHCPs that have not yet been approved but are expected to be approved before the end of the financial year. The funding is forecast to be spent as follows:

	Budget £m	Outturn £m	Variance £m	Future Demand £m	Variance incl Future Demand £m
2022/23 DSG Outturn					
Schools Block	121.448	121.448	0.000	0.000	0.000
Central School Services Block	1.065	1.090	0.025	0.000	0.025
Early Years Block	13.058	12.461	(0.597)	0.000	(0.597)
High Needs Block	29.692	35.026	5.334	0.500	5.834
Sub-Total	165.263	170.025	4.762	0.500	5.262
2021/22 Carry forward	(9.820)	0.000	9.820	0.000	9.820
Safety Valve Funding	5.000	0.000	(5.000)	0.000	(5.000)
Council Funding	1.200	0.000	(1.200)	0.000	(1.200)
Total	161.643	170.025	8.382	0.500	8.882

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