



**Royal Borough of Kingston upon Thames
Safety Valve Agreement
Quarter Two 2023/24 Summary Update Report**

Date Submitted	15th September 2023
Data Date	End July 2023
Signed off by S151 Officer	Rachel Howard
Signed off by Director of Children's Services	Ian Dodds
Background documents	Safety Valve Agreement SEND Futures Plan

Since the last monitoring report submission on the 19th of May 2023, we have seen continued progress with some actions and significant challenges with others. Whilst the work being implemented in Kingston is believed to be as comprehensive as possible, and is supporting the achievement of conditions for future years, the continued increase in need and ongoing price inflation are resulting in expenditure continuing to increase. Local scrutiny of performance remains considerable, including since the last report by the Council's People Committee, Schools Forum, and through the SEND Partnership Board.

Since the last monitoring report in May, the DfE has made requests for additional information to be included. These are:

1. the financial impact of any delays to capital projects such as new free schools and the impact these are having on implementing the Safety Valve agreement
2. the annual review of EHCPs and effective pathway management and the cessation of plans.
3. the post-16 offer to reduce dependency on independent providers.

Information on the first request can be found within the established section of Kingston's monitoring report structure called "*Capital: Progress on capital investment and associated local infrastructure growth*" below. Information about the second request can be found under condition 3.1 and information about the final request can be found under condition 3.7.

The DfE has also requested the use of a new safety valve reporting template. The local area will be adopting for the next cycle of reporting.

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. Since the previous report in May, one condition has been reduced from good to medium assurance (condition 2), and two conditions have been reduced from a medium to a low level of assurance (3.7 and 3.8).

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

It is important to note that whilst many aspects of performance have been positive, the future financial position remains very challenging. This report and risk register shown in Annex D will lay out the key reasons for this.

Agreement Condition	Assurance Level			
	Q2 22/23	Q3 22/23	Q4/Q1 22/23	Q2 23/24
Condition 2: Maximum Forecast DSG Deficit Profile at year end £32.2m	Low	Good	Good	Medium

In the previous reporting cycle basis data at the end of April, Kingston reported a full year forecast of £31.779m against a stipulated maximum DSG deficit of £32.233m. Based on data and information available at the end of July, and although the forecast expenditure is now the same as the target at £32.233 (representing an increase in forecast expenditure of £454k since the previous report), we have decreased the assurance level from good to medium.

Since the previous report, the forecast for the average cost of an EHCP has increased from £21,113 to £21,305, and the number of EHCPs at the January census has been updated with the latest insights from the needs assessments requests currently being processed. The considerable additional number of EHC plans likely to be issued in the coming months combined with the impact of ongoing inflation is the reason we have reduced the assurance level, as the outlook is looking increasingly challenging.

A range of factors continue to impact the cost of placements. In addition to the cost of energy and utilities, food and staffing are key drivers given that staff shortages have driven many providers to rely more heavily on agency staff. We also continue to see a shortage of specialist placements in the provider market, where organisations often have a strong position in price negotiations. Despite this, our placement commissioning team have continued to work to reduce the expenditure on placements, without their input costs would be significantly higher. More information on their impact is available in the section relating to condition 3.4 below.

All decisions on placements and the allocation of placement costs are made through the Joint Agency Panel to ensure that all parties pay their fair share according to statutory duties. A multi-agency approach with the panel responsible for decision making around the need for an EHCP to meet the needs of children and young people.

The key indicators to note are:

KPI	SVA Target '22/23	Q3 (Dec)	Q4 Actual	SVA Target '23/24	Q1 (Apr)	Q2 (Aug)
Max cumulative deficit before safety valve funding	£31.465m	£30.134m	£29.815m	£32.233m	£31.779m	£32.233m
Forecast number of EHCPs @ Jan '23 or '24 census	1,640	1,633	1,630	1,746	1,774	1750
Forecast increase in EHCPs over census period (projected)	+103	+83	+80	+116	+144	+120
Actual EHCP at reporting date, target pro rata		1,626	1630	1,640	1,647	1670

Condition 3.1: Improve support available in schools to manage demand more effectively and reduce escalation	Q2 22/23	Q3 22/23	Q4/Q1 22/23	Q2 23/24

of need.	Good	Medium	Medium	Medium
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The number of requests for EHC needs assessments over the twelve months to the end of July 2023 and how this compares with the previous twelve months is shown below.

Kingston, requests for EHC needs assessments													
	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Ttl
'22/3	11	14	17	17	25	19	24	35	26	29	31	50	298
'21/2	16	12	14	14	16	21	29	26	23	32	26	50	279

The increase over these time periods was 7%. This compares to the increase reported in the previous reporting cycle of 14%, which itself was a decrease on the previous rate of growth of 19%. Whilst this is good news, we have kept this condition as medium assurance due to the significant number of EHC plans that are likely to result.

The Local Area continues to focus on early intervention, with for example provision of training and support for schools in meeting need without an EHC plan, and promotion of the ordinarily available support that should be provided for the child or young person. The multi-agency panel that decides if a request for EHC needs assessments will be agreed also uses the intelligence arising from that process to target specialist outreach services to assess and support practice in particular schools.

In June the local area held a 'deep dive' into Kingston's early intervention work with our DfE SEND advisor. The meeting focused on the following early intervention practices currently taking place in Kingston:

- 92% of schools (across both Richmond and Kingston) have been making use of the school improvement partners (SIPs). Six times a year there is a school improvement forum, at which best practice around early intervention is shared across schools.
- The School Improvement Team has become more aligned with the work supporting Quality First Teaching, the Inclusion Charter and Toolkit, and with creating a more consistent and accessible offer.
- There is a consistent rotation of staff attending needs assessment panels, meaning there are practitioners from primary, secondary, SENCOs and social care. This has led to wider system ownership and more peer to peer scrutiny and challenge.
- Educational Psychologists and School Improvement Partners work together to address the increase in the number of parental requests for EHC needs assessments, looking at making the process more robust.
- In response to school requests for EHC needs assessments, schools have been encouraged to access the local areas's emotionally related school avoidance (ERSA) toolkits, training around utilising [Ordinarily Available](#) provision and information on using the [Inclusion Charter and Toolkit](#).
- In addition, ordinarily available provision is being promoted via school websites to demonstrate to parents the support schools are offering and to improve parental confidence in the provision.
- A "Quality First Teaching +" project has been piloted in a small number of schools by the school Improvement team, and this academic year will be repeated in primary and secondary schools.
- SPARK Education has also been introduced to schools as a method of early intervention, and themes coming out of this are fed back into the school improvement programme.
- Social Communication Intervention packages are available for young people with social communication needs in Early Years.
- Each Early Years setting has access to improvement and inclusion advisers in addition to Early Years advisers within the SEN Team at AfC.

In addition to this, we continue to work to ensure that all partners are fulfilling their statutory duties under the SEND Code of Practice, and to promote our key local protocols and specialist outreach teams such as the [Threshold Guidance](#), [Early Advice and Intervention Panel](#) and [Education Inclusion Support Service](#).

The work of the task and finish group considering alternative models of funding for SEND in mainstream schools in Kingston continues. The group met again in June, during which they agreed on a strategy for involving school leads in key decisions about funding models. A meeting was also held with over 80 headteachers, senior leaders and SENCOs in schools, in order to discuss the findings and next steps. This meeting included presentations from members of the task and finish group, including Peter Gray, an independent SEND consultant, on the national and local context of SEND funding in schools. The focus of the meeting was on exploring the possibility of moving to an alternative approach to mainstream funding which focuses on a cluster based model, where predictable pupil needs are supported directly by school clusters with additional ring fenced funding. At the end of the meeting school leads were asked to vote on whether they would like to pilot the cluster based model within a certain number of schools in Kingston. Whilst strong support was received in a closing poll at the meeting, a subsequent survey was less conclusive, and so more work is required for this ahead of November's Schools Forum where a decision on next steps is due to be finalised. The Parent Carer Forum continue to be briefed between each meeting to feedback on discussion and to collect their views.

Condition 3.2: Expand specialist provision to avoid placements in more expensive Non Maintained Special Schools and independent special schools.	Q2 22/23	Q3 22/23	Q4/Q1 22/23	Q2 23/24
	Medium	Medium	Medium	Medium

- i. The installation of the four demountable classrooms at 6Oaks, a Specialist Resource Provision at the Duke's Centre, happened in August. These are not new places but represent an improvement to the quality of offer for these young people.
- ii. The People Committee approved the commitment of funding for the 14-19 vocational centre at St Philip's at their June meeting. The planning application is due to go to the Planning Committee in September.
- iii. Coombe Academy Trust has commissioned a feasibility for reconfiguration of the Specialist Resource Provision areas at Knollmead to address condition issues.
- iv. Some progress has been made with The Kingston Academy to provide additional space for young people with special educational needs, which will free up more space for pupils with SEND within the main building (this relates to the possible establishment of a Cullum Centre specialist resource provision).
- v. A feasibility report for a new post-16 provision within Kingston Borough to be delivered by Orchard Hill Academy Trust is being prepared with the aim to take a report to the People Committee in the autumn for commitment of the requisite funding

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	Q2 22/23	Q3 22/23	Q4/Q1 22/23	Q2 23/24
	Low	Medium	Medium	Medium

At the end of July 2023, Kingston maintained a total of 1670 EHC plans. This is an increase of 64 since July 2022 when the total was 1606.

Kingston, total EHC plans maintained (end of month)												
'22/3	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul
Total	1622	1593	1596	1612	1627	1634	1631	1632	1647	1656	1668	1670

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 2024 census was 1746. (The actual January 2023 census was 10 less than the original forecast). Whilst on a “straight line” basis the latest number of EHCPs would suggest a forecast of less than then modelled 1746, the large number of recent requests of EHC needs assessments, a significant proportion of which will result in a new EHC plan being issued, progress with this condition is considered to remain medium.

The number of new plans issued each month during the past financial year, and how it compares to the previous year, is shown below.

Kingston, new EHC plans issued													
	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Total
'22/3	22	26	18	26	30	14	10	16	20	14	16	17	232
'21/2	12	10	18	31	28	14	14	13	12	22	15	22	204

When interpreting this data, and the 14% year on year increase in new plans issued during this period, factors to consider include that for 2021/22 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. Although this is a different time period, it is also worth noting that the SEN2 data published in June 2023 recorded a significantly lower national year on year increase in new plans being issued (+7% in England calendar year 2021 v 2022).

Over the past twelve months the proportion of requests for EHC needs assessments that have been declined is 24% (up from 17% in the previous reporting cycle) and the proportion of assessments that took place where an EHC plan was refused was 1% (down from 3% in the previous reporting cycle). This compares to the latest national data on these proportions of 22% and 6% respectively for calendar year 2022.

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)													
	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Total
'22/3	4	7	20	13	15	14	15	17	9	11	9	20	154
'21/2	6	4	6	7	3	2	6	43	3	6	7	7	100

Over the past 12 months, the most significant reasons for an EHC plan to be ceased were (in descending order of prevalence) transfer to another local authority, moved on to higher education, departure from education, and moved into paid employment (excluding apprenticeships). 10 EHC plans were ceased for the reason that the young person reached the maximum age for an EHC plan of 25 years.

Comment re. DfE’s request for more information on the annual review of EHCPs and active management of plan ceasing:

In Kingston annual reviews are routinely monitored by EHC Coordinators and managers through the Annual Review Dashboard, during the SEND Managers Monthly meeting, and in regular SEND team meetings. In addition performance is included in the SEND Partnership Board Performance dashboard and scrutinised as part of those bi monthly meetings. The KPI Performance measured over the previous 12 months in this area has improved:

- Annual Review notifications published at +4 weeks have improved, and are now at 40%
- The draft amended EHCP published at a further 8 weeks is at 38%
- Final Amended EHCP published as soon as possible but no later than +8 weeks following publishing the draft amended EHEP is at 78%

Despite this, the Local Authority has faced challenges in the timely submission of Annual Reviews. Key challenges relate to staffing capacity and turnover, with four EHC Coordinators having resigned in the 2023 summer term. In addition to this and despite head teachers having been written to about this during the previous academic year, fewer than 50% of all education settings are submitting Annual Review reports on time, contributing to statutory timescales being missed. In order to improve this, the Local Authority is taking the following steps:

- An Annual Review recovery and forward management proposal has been written and is being considered by senior leadership in September
- The SEND Service is publishing the AR schedule to all education settings earlier, so that SENCOs have more notice to schedule ARs within the statutory 12-month window
- The Head of SEND and the lead Senior EHC Coordinator are delivering whole service training about Annual Reviews in September 2023, and annualised training on Annual Reviews is being delivered to SENCOs through the half-termly SENCO Network
- EHC Coordinators will hold termly meetings with SENCOs to review upcoming Annual Reviews; ensure meetings are scheduled and held on time; agree on priority Annual Reviews for EHC Coordinators to attend; and both challenge and support non-compliance with statutory requirements
- EHC Coordinators will link more closely with AfC’s School Improvement Advisors to channel support and challenge into education settings that are consistently failing to meet statutory duties

In terms of the cessation of EHC plans, Kingston is actively managing and ceasing where appropriate. Using the phase transfer and annual review processes over the past three academic years, as well as working closely with our post-16 providers, we have improved mapping of young people’s course lengths e.g. understanding when a young person is accessing a two year BTEC Level 3 or a three year Life Skills programme. The end date of a young person’s course is then logged onto our central database system. This has enabled us to more accurately track and predict in a proactive way when a young person may be able to transition onto an employment or social care pathway. In addition to this, the SEND team has been working with local area partners, such as Adult Social Care, colleagues in the Integrated Care System and local employers to improve our knowledge on what they could offer young people. The impact of this has been a move away from young people repeating qualifications, such as doing multiple Level 2 BTECs, and more ambitious and aspirational planning being undertaken by the team. Through improved links with partners and proactive planning, we emphasise that the ceasing of a plan should be a celebration of the young person’s achievements and progress as opposed to something that causes anxiety or stress for a family. We have seen an increase in ceases over the past three year period and hope to continue this trend in the upcoming years.

Condition 3.4: Improve efficiency of commissioning services to drive down cost.	Q2 22/23	Q3 22/23	Q4/Q1 22/23	Q2 23/24
	Medium	Low	Low	Low

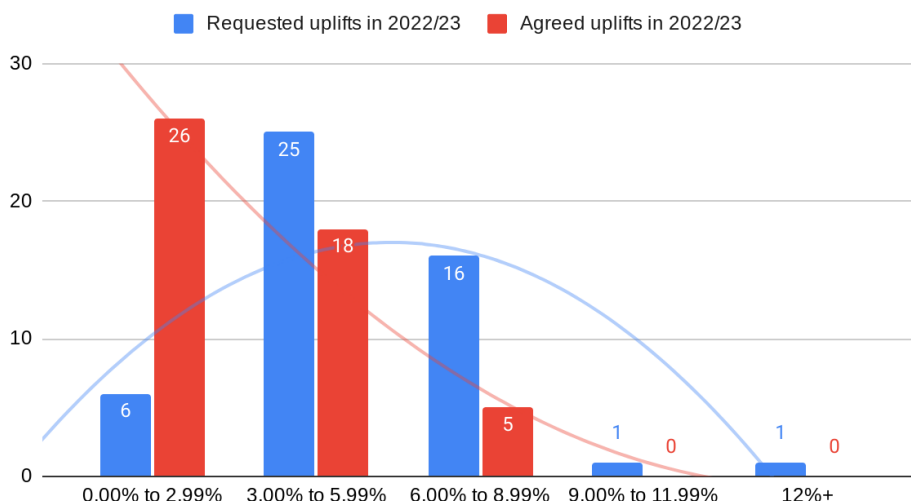
Although for reasons of actual total spend this condition remains a RAG of red, the SEND Commissioning Team has continued to deliver significant value since launch in April 2022, and without this team expenditure would undoubtedly have been even higher. For the financial year 2023/24, the team has so far reduced the actual expenditure by £473K compared with that originally forecast for the financial year. This can be broken down as follows:

- i. £172k primarily from negotiations with placement providers for discounts, credit notes or a reduction in fees.

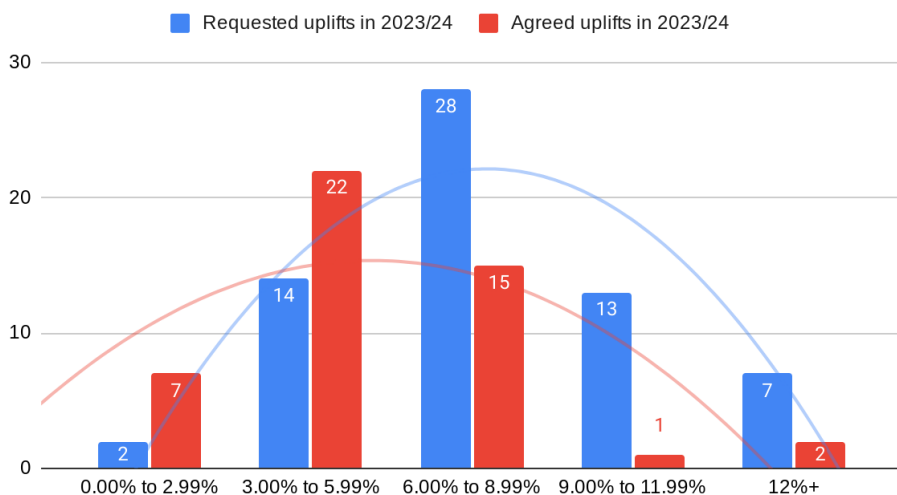
- ii. £212K by negotiating a step down in support or residential costs, early payment discounts or agreeing to a lower cost provider when a higher cost provider was in scope.
- iii. £89k in mitigated savings on fee uplifts. This was due to the Commissioning Team negotiating lower fee increases when receiving requests from providers for fee uplifts.

Whilst this work will continue to have an impact, inflationary pressures continue. Fee increase requests have risen since 2022/23 both in terms of providers and volumes being requested. Shown in the line chart below. This data is based on providers, so can not be disaggregated for Kingston and Richmond as both boroughs have learners in most schools. (Data correct as of 22/8/23)

Requested uplifts in 2022/23 and Agreed uplifts in 2022/23



Requested uplifts in 2023/24 and Agreed uplifts in 2023/24



Future priorities for the SEND Commissioning team include:

- i. Developing a strategic approach with the Commissioning Alliance and other South London Local Authorities to create more challenge to fee uplift decisions made on behalf of London Local Authorities.
- ii. Setting up a Further Education focused sub-regional Local Authority network to gain best value for money with funding decisions.
- iii. Carrying out a market appraisal for individual tutoring agencies to see whether better value for money can be gained with a preferred agency system.

iv. Continue to develop a market tool (CareCalc) with the SEND module to trial in Kingston.

Condition 3.5: Increase contributions from health and social care.	Q2 22/23	Q3 22/23	Q4/Q1 22/23	Q2 23/24
	Medium	Low	Low	Low

As at the end of July 2023, the latest forecast for the financial year 2023/24 is the same as it was under the previous reporting cycle. Increased contributions of £72k are currently forecast against a target of 250k.

	RBK 23/24	RBK 22/23	Change
	£	£	£
Education	2,638,865	2,638,865	0
Childrens Social Care	1,537,155	1,537,155	0
Adults Social Care	433,054	433,054	0
Health	494,602	494,602	0
Total partner contributions - known EHCPs	2,464,811	2,464,811	0
Expected contributions to future EHCPs	72,442		72,442
Total partner contributions - projected EHCPs	2,537,253	2,464,811	72,442

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.	Q2 22/23	Q3 22/23	Q4/Q1 22/23	Q2 23/24
	Good	Good	Good	Good

The Schools Forum High Needs Block Subgroup met in June with agenda items including scrutinising performance against Safety Valve conditions; an update on alternative models for funding of SEND in mainstream; an options appraisal for targeted high needs funding for 2024/25; and an update on school place planning.

The Local Area has continued to work closely with parents and carers, and to build parental engagement into the work that we do. 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 AfC's SEND Parent Carer Engagement Officers have continued to recruit and train additional Parent Champions. In addition to Parent Champions, we have continued to find additional methods of communication with SEND parents/ carers to ensure that they are better informed of local provision. The number of families signing up to the SEND Register has continued to grow month on month, allowing us to communicate directly with more families 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. During the summer term the local area has been engaging with parents and carers and children and young people with SEND to get their views on health, education and social care services. This will then inform the local area's self-evaluation of performance against the new Ofsted and CQC local area SEND inspection framework, as well as an update to the local area's SEND Futures strategic plan. To feed into this work, the Kingston PCF led on a piece of work during the summer term to collect parent voices through hosting six face to face workshops which were held during May and June. These workshops covered topics such as neurodiversity, early years, and post-16 SEND in Kingston.

The Kingston Parent Carer Consortium continues to meet monthly with deep dive topics / agenda items set by participants.

Condition 3.7: Reforming of the authority's post-16 offer, including but not limited to development of new provision.	Q2 22/23	Q3 22/23	Q4/Q1 22/23	Q2 23/24
	Medium	Medium	Medium	Low

- i. The Transitions Board, co-chaired by the Director of Children's Services and the Associate Director for Adult Social Care, continues to lead and oversee improvements to Kingston's post-16 offer. As part of this work, there was a mental health transitions workshop which resulted in a proposed Transitions TO BE pathway. This work, once finalised, will then need to be taken to the necessary organisations and decision making bodies within the council, AfC and the ICB for discussion and approval, given that there would be financial implications to implementing any changes. In addition, the Kingston SEND Partnership Board held a 'deep dive' on the local area's post-16 offer in their June meeting.
- ii. In-person and online health listening events with parents and carers focused on feedback on the transition from childrens to adult health services. Feedback from these events has led to the development of an action plan on improvement to health transitions
- iii. The local area's guide to the Children Looked After, Education, Social Care, Transport and Health transition pathways are being updated to better reflect current guidance. For example, the guidance on health transitions has now been split out into specific guides on the different transition pathways for continuing healthcare, mental health and learning disability and autism.
- iv. The AfC Next Steps Careers Advice team has continued to develop knowledge and share best practice with young people, and they are now able to demonstrate impact and evidence that young people have found advice given to them in schools and colleges valuable.
- v. SEND colleagues have continued to work closely with the Virtual School & College on the agenda of improving employment pathways where there is a significant shared agenda with regard to the Care Leavers Covenant and supporting young people into employment and long term independence.
- vi. The Summer Support Careers Advice Helpline was operational during the summer via the [Local Offer](#). This helpline offered confidential advice and guidance to young people who have completed their GCSE's and was to discuss their post-16 options.

In terms of the costs of post 16 placements, all categories have experienced increased average costs since the previous reporting cycle. This is the reason this condition has moved from a RAG of amber to red.

Placement Setting	SVA Target 2023/24	2023/24 Q1	2023/24 Q2	Target v Actual Difference
>16 - Average cost of all settings	£12,724	£12,953	£13,300	+£576
Independent Special School >16	£40,869	£40,435	£42,143	+ £1,274
Independent Specialist provider >16	£30,464	£35,110	£35,528	+£5,064
Further Education Colleges	£2,452	£2,895	£2,990	+£538
In borough Special Schools >16	£30,244	£31,682	£31,967	+£1,723

Response to the DfE's request for more information on 'the post-16 offer to reduce dependence on independent providers':

Permanent accommodation for the 24-place post-16 SEMH specialist resource provision at Malden Oaks was installed in August 2023. A feasibility report for converting part of an existing RBK-owned building to provide additional Orchard Hill College 16-25 places is due to be available in early September. The 90-place Autism Spectrum Condition (ASC) special free school, The Spring School, which opened in September 2023, includes post-16 places in future years.

In addition to this, the Local area is taking a joint strategic commissioning approach with the further education sector to enable pathways for learners with higher level needs to attend specialist courses, rather than attend post 16 specialist institutions. For example the ICB and AfC have jointly worked with speech and language therapy suppliers to ensure that specialist therapies are available to young people transitioning from specialist to further education whilst training their therapeutic input. In one college we have brought in £128,956 savings with nine learners who were previously at special schools (academy and independent) using a direct therapeutic approach.

Condition 3.8: Contribute to the reduction of the cumulative deficit via alternative council funding sources in each financial year covered by this agreement.	Q2 22/23	Q3 22/23	Q4/Q1 22/23	Q2 23/24
	Good	Good	Medium	Low

For **2023/24**, budget transfers have been agreed as follow:

- £2.4m general fund contribution agreed for 2023/24 (note this has increased from previous years)
- DSG block transfers agreed as part of the DSG budget setting process totalled slightly less than in the original financial model (£457k actual v £462k model) £350k from the Schools Block; £35k from the Central School Services Block and £72k from the Early Years Block).

The reason this condition has moved from medium to low assurance, is that the financial model builds in an anticipated annual underspend of £750k per year in the Early Years Block, and the latest forecast for this is an underspend of £116k, representing a difference of £634k.

Capital: Progress on capital investment and associated local infrastructure growth	Q2 22/23	Q3 22/23	Q4/Q1 22/23	Q2 23/24
	Medium	Medium	Medium	Medium

In October 2018, Achieving for Children on behalf of Richmond and Kingston Councils, submitted successful applications for two SEN/AP Wave 2 free schools - one in Kingston (now known as Spring School, for 90 children aged four to 19 with autism) and one in Richmond (London River Academy, for 90 children aged seven to 19 with SEMH). We envisaged that both schools would be able to open in September 2022.

Spring School will open in September 2023, but on a temporary site rather than its permanent, council-leased site. That is because the DfE's contractor went into administration earlier this year and a decision still hasn't been made regarding procurement of a new contractor. If the new accommodation isn't ready for September 2024, then the trust (Ambitious about Autism) say they won't be able to admit a second cohort of children until the 2025/2026 school year due to the limited space at the temporary site.

The Department only very recently (May 2023) obtained planning permission for the London River Academy, and the school will therefore not open until September 2025 at the earliest, i.e. at least seven years since we applied.

Clearly, there have been a range of factors influencing the timeline (and costs) of delivery, such as Brexit, the

impact of Covid-19 and the Russian invasion of Ukraine. In terms of learning for the future, we would also raise the following:

- a. decision-making regarding procurement and planning issues has taken longer than we had planned for. These are decisions taken by the Department and their partners and not by the local area.
- b. one of the factors we believe may have impacted the pace / urgency of these processes is the lack of understanding among DfE capital delivery colleagues that special schools can't open mid-year as realistically only September starts are viable. Focusing on delivering in time for a September opening of a school is therefore imperative.

Our modelling of the financial impact of delays is below. Key points are:

- i. The original build up of places have been used - based on the Special Free Schools opening in September 2022, as per the original timescale
- ii. It is assumed that, due to the delay, these young people have now entered the independent sector as all alternative local special schools are full.
- iii. Each school shows a split between Richmond and Kingston attendees - it is assumed that the split is 67% Kingston and 33% Richmond young people attending the ASD school with the % reversed for the SEMH Free School.
- iv. The differential has been calculated using the average cost of the equivalently designated Independent placement, using information from Mastadon C (£51k SEMH; £44k ASD) and the new Special Free Schools full placement cost (£30k SEMH; £25k ASD - which includes the £10k place funding element)
- v. This calculated amount can be found in the "cost of delay" table - £3.991m in Kingston and £5.928m in Richmond - due to the initial delay these young people are now estimated to be within the independent sector and highly unlikely to move back to a local Special Free school, therefore the impact is more than just one year (ASD) and 2 years (SEMH). These figures are the most accurate, up to date, cost of delay we can provide.
- vi. The final table shows the original estimated differential between the new Special Free School places and independent settings. In the original SEND Futures costings from November 2019, it was estimated that independent settings were around £7k more than their maintained counterparts (as shown in point v. - now this is closer to £20k difference) - this produces a differential of £1.386m for Kingston and £2.016m for Richmond.

SUMMARY OF IMPACT OF DELAYS IN FREE SCHOOLS									
	Designation	2022	2023	2024	2025	2026	2027	2028	TOTAL
Original model places by academic year									
ASD School - Kingston pupils	ASD	12	24	36	48	52	56	60	
ASD School - Richmond pupils	ASD	6	12	18	24	26	28	30	
SEMH School - Richmond pupils	SEMH	20	40	48	54	60	60	60	
SEMH School - Kingston pupils	SEMH	10	20	24	27	30	30	30	
Kingston proportion in ASD school		66.67%	66.67%	66.67%	66.67%	66.67%	66.67%	66.67%	
Kingston proportion in SEMH school		33.33%	33.33%	33.33%	33.33%	33.33%	33.33%	33.33%	
Richmond proportion in ASD school		33.33%	33.33%	33.33%	33.33%	33.33%	33.33%	33.33%	
Richmond proportion in SEMH school		66.67%	66.67%	66.67%	66.67%	66.67%	66.67%	66.67%	
Cost of delay - using latest Mastadon C £ differential									
Kingston proportion in ASD school	1 yr delay	228,236	228,236	228,236	228,236	228,236	228,236		1,369,416
Kingston proportion in SEMH school	2 yr delay	208,060	416,119	499,343	499,343	499,343	499,343		2,621,551
		436,296	644,355	727,579	727,579	727,579	727,579		3,990,967
Richmond proportion in ASD school	1 yr delay	114,118	114,118	114,118	114,118	114,118	114,118		684,708
Richmond proportion in SEMH school	2 yr delay	416,119	832,238	998,686	998,686	998,686	998,686		5,243,102
		530,237	946,356	1,112,804	1,112,804	1,112,804	1,112,804		5,927,810
Cost of delay - using original model £ differential (IMPACT ON SAVINGS)									
Kingston proportion in ASD school	1 yr delay	84,000	84,000	84,000	84,000	84,000	84,000		504,000
Kingston proportion in SEMH school	2 yr delay	70,000	140,000	168,000	168,000	168,000	168,000		882,000
		154,000	224,000	252,000	252,000	252,000	252,000		1,386,000
Richmond proportion in ASD school	1 yr delay	42,000	42,000	42,000	42,000	42,000	42,000		252,000
Richmond proportion in SEMH school	2 yr delay	140,000	280,000	336,000	336,000	336,000	336,000		1,764,000
		182,000	322,000	378,000	378,000	378,000	378,000		2,016,000

Final remarks:

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:

- There is concern that the early indications of likely DSG allocations for 2024/5 are insufficient in the context of continuing inflation, and therefore represent a real term reduction in funding. This is of particular concern for both the Schools Block and the High Needs Block, especially given the ongoing high levels of real need being seen amongst children and young people.
- The increase in needs amongst children and young people, exemplified by the continued high levels of requests for EHC needs assessments. This is particularly noticeable in a growing cohort of young people with emotional wellbeing and mental health needs who are not attending school (emotionally related school avoidance / ERSA).
- Availability of specialist places at special schools and in specialist resource provisions, and increasingly in relation to the growing number of ERSA related cases referred to above.
- 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. Of particular recent concern have been the changes in the continuing healthcare team.
- 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, both financial and relating to staffing. In addition, the ICS budget setting process does not include any ring fenced SEND funding and funding for SEND services is therefore dependent on allocations being agreed against a large number of other competing priorities. Additional Health restructuring / staff changes are also taking place at the time of writing and we are

uncertain at this stage of the impact, if any, on SEND services.

We request the following support to successfully deliver the Safety Valve Agreement (these are the same of the previous report):

- Clarification from the DfE about responsibilities to fund placement costs for children who are looked after by one local authority and who are placed in a different local authority. (i.e. 1996 Belonging Regulations and Inter-authority recoupment regulations (2013) vs February 2022 High Needs Operation Guide which states that recoupment is 'not normally appropriate'). We have previously raised this matter and have not had a response so would very much appreciate clarification.
- 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. The most immediate impact will be if a new construction firm to complete Spring School in Chessington is not confirmed quickly enough for the permanent site to open ready to take children in September 2024.
- 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 (e.g. psychiatrists and GPs) 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.
- There is an ongoing issue that Kingston has previously raised with DfE colleagues relating to the calculation of funding for "imports and exports" of EHC plans with a neighbouring authority. We believe this to be incorrect and Kingston to be financially disadvantaged as a result. If this could please be investigated and a response provided to Kingston this would be gratefully received.
- Given the ongoing high levels of need and the very challenging future financial context, now combined with concerns about the possible level of DSG allocations for 2024/25, we would request a meeting with DfE representatives to discuss. We will write separately to the Department regarding this.

Summary of appendices

Appendix A - Kingston Financial Model 2023/24

Appendix B - Kingston Demand and Finance Dashboard 2023/24

Appendix C - SEND Futures Plan Update, July 2023

Appendix D - SEND Futures Plan Risk Register

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KINGSTON FINANCIAL MODEL	2023/24							Variance	RAG
	Baseline (end of March 2023)	Financial Model	Q1 (April)	Q2 (JUL)	Q3 (Nov)	Q4 (Mar)			
	£m	£m	£m	£m	£m	£m			
HNB allocation	29.018	30.206	31.707	31.707			1.501	G	
Budget additions (transfers)	0.656	0.462	0.457	0.457			-0.005	G	
Total budget	29.674	30.668	32.163	32.163			1.495	G	
HNB expenditure before savings	35.150	35.653	37.523	37.722			2.069	R	
Increased places in Specialist Resource Provisions (SRP)	-0.136	-0.010	-0.115	-0.116			-0.106	G	
Review of SRP vacant place funding	0.000	0.000	0.000	0.000			0.000	G	
Increased special school places	-0.045	-0.154	-0.034	-0.002			0.152	R	
Development of post 16 offer	-0.094	-0.121	-0.045	-0.012			0.109	R	
Improved commissioning practice including annual reviews	-0.430	-0.533	-0.533	-0.533			0.000	G	
Contributions from other partners (health & social care)	-0.028	-0.250	-0.072	-0.072			0.250	R	
HNB expenditure after savings	34.416	34.585	36.723	37.059			2.474	R	
Net HNB deficit	4.742	3.917	4.560	4.895			0.978	R	
Variance in other DSG blocks	-0.479	-0.750	-0.196	-0.077			0.673	R	
General Fund Contribution	-1.270	-2.400	-2.400	-2.400			0.000	G	
Net HNB Deficit	2.993	0.767	1.964	2.418			1.651	R	
Net DSG deficit - cumulative before safety valve and additional grant RIA	30.915	32.233	32.879	33.333			1.100	R	
Net DSG deficit - cumulative before safety valve	29.815	32.233	31.779	32.233			0.000	G	
Net DSG deficit - cumulative after max safety valve and DSG Received in advance	4.815	4.733	4.279	4.733			0.000	G	

Ref	Key Performance Indicator	Baseline (end of March 2023)	Target 23/24	Q1 (April)	Q2 (Jul)	Q3 (Nov)	Q4 (Mar)	RAG	Comment	Target Derivation	KPI Category
1	Actual EHCPs	1,630	1,769	1,647	1670			G	116 increase over 12 months - pro rata over 4 months	Pro rata	Demand Management
2	% increase in EHCPs	4.09%	8.54%	1.04%	2.45%			G	6% full year - rephased due to changed start point	Pro rata	Demand Management
3	Net EHCPs @ Jan Projected	1,630	1,746	1,774	1750			A	120 increase over 12 months	Annual - In Plan	Demand Management
4	% increase	5.16%	7.12%	8.83%	7.36%			A	Target rebased to reflect revised opening position - now net 95 increase	Annual - In Plan	Demand Management
5	New EHCPs (cumulative)	232	70	20	37			G	Adjusted to allow for larger movement to reflect actual starting position. Target presented pro rata (change from 22/23 presentation)	Annual - In Plan	Demand Management
6	Ceased EHCPs (cumulative)	-132	-31	-9	-29			G	Target presented pro rata (change from 22/23 presentation)	Annual - In Plan	Demand Management
6a	Movers etc (cumulative)	-7	0	6	32			R	Q2 2023: 4 moved in, 12 transferred out	Annual	Demand Management
7	% of EHCP per head of population	3.29%	4.00%	3.33%	3.38%			G	Q2: 5.3% if we use the school population (31,512)	Annual	Demand management
8	% of pupils with SEN Support	9.90%	12.60%	9.90%	11.30%			G		Annual	Demand management
9	HNB Surplus / Deficit	4,742,318	3,917,000	4,559,776	£4,895,103			R	Excludes £2.4m GF contribution	Annual - In Plan	Financial Control
10	HNB Spend	34,416,453	34,585,000	36,723,211	37,058,538			R		Annual - In Plan	Financial Control
11	HNB Spend - direct (includes recoupment and future demand)	32,536,223	32,696,659	34,859,797	£35,179,376			R		Annual	Financial Control
12	HNB Spend - central	1,880,231	1,888,341	1,863,414	£1,879,162			G		Annual	Financial Control
13	In Year DSG Surplus/Deficit	2,993,000	767,000	1,964,000	£2,418,000			R	Includes £2.4m GF contribution	Annual - In Plan	Financial Control
14a	Cumulative DSG Surplus/Deficit - before safety valve funding and grant received in advance	30,915,000	32,233,000	32,879,000	£33,333,000			R		Annual - In Plan	Financial Control
14b	Cumulative DSG Surplus/Deficit - before safety valve funding	29,815,000	32,233,000	31,779,000	£32,233,000			G		Annual - In Plan	Financial Control
15	Cumulative DSG Surplus/Deficit - after safety valve funding	4,814,000	4,733,000	4,279,000	£4,731,000			G	Target does not include the £3m forward funding	Annual	Financial Control
16	Funding gap as % of HNB allocation	-18.60%	-14.50%	-15.82%	-16.88%			R		Annual	Financial Control
17	Early Years outturn	-463,000	-750,000	-235,000	-£116,000			R		Annual - In Plan	Financial Control
18	HNB DSG allocation	29,018,089	30,206,000	31,706,538	£31,706,538			G	Including new grant for 3.4% special school and AP increase	Annual - In Plan	Financial Control
19	Block transfers	656,000	462,000	456,900	£456,900			A		Annual - In Plan	Financial Control
20	General Fund	1,270,000	2,400,000	2,400,000	£2,400,000			G		Annual - In Plan	Financial Control
21	Savings / mitigation < 16 HNB only	410,131	555,500	451,474	£384,936			R		Annual - In Plan	Financial Control
22	Savings / mitigation > 16 HNB only	322,925	512,500	348,013	£278,737			R		Annual - In Plan	Financial Control
23	Average cost - all HNB 2 - 18	904	907	963	972			R		Annual	Value for Money
24	Savings / mitigation - HNB only	733,056	1,068,000	799,488	£663,674			R		Annual - In Plan	Value for Money
25	Average placement cost < 16s	16,535	16,287	16,091	£15,964			G	including future demand - 69.42 EHCPs staggered throughout year; target based on 1.5% decrease	Annual	Value for Money
26	Average placement cost > 16s	12,918	12,724	12,953	£13,300			R		Annual	Value for Money
27	Average cost of an independent < 16	30,758	30,297	31,501	£29,862			G	including future demand - £301,372 - 9.45 staggered throughout year	Annual	Value for Money
28	Average cost of maintained / academy special school - in borough	29,371	30,252	28,460	£29,665			G	including future demand - £205,435(includes place funding) - 8.33 estimated new September starters; and including £224,804 3% MFG estimate	Annual	Value for Money
29	Average cost of maintained / academy special school - out borough	29,241	28,802	29,362	£29,256			A	including future demand - £57,213 (includes place funding) - 6.55 EHCPs staggered throughout year	Annual	Value for Money
30	Average cost of an independent > 16	41,491	40,869	40,435	£42,143			R		Annual	Value for Money
31	Average cost of FE colleges > 16	2,489	2,452	2,895	£2,990			R		Annual	Value for Money
32	Average cost of ISP > 16	30,928	30,464	35,110	£35,528			R		Annual	Value for Money
33	Average cost of in borough special school > 16	29,363	30,244	31,682	£31,967			R		Annual	Value for Money
34	Average placement cost - alternative provision	16,579	17,076	17,266	£17,266			R	30 full year; increased estimated EHCP places -11 pre 16; 10 post 16	Annual	Value for Money
35	Average cost of an Education, Health and Care Plan (EHCP)	£21,114	£19,809	£21,113	£21,305			R	Current EHCP numbers + Future Demand ECHPs - Q1 revised to include 92 future demand; Q2 includes 69 future demand EHCPs	Annual - In Plan	Value for Money
36	% of spend in: the independent, non-maintained special school and independent college sector	25.55%	24.05%	26.77%	26.84%			R	including future demand - £301,372 - 9.45 staggered throughout year	Annual	Value for Money

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 three times per year. The Council submitted [the latest safety valve report](#) which covered Q4 for the previous financial year and Q1 for the current financial year in May 2023. Based on this report, the Council was judged by the Department for Education (DfE) to have made sufficient progress with the implementation of actions in the SEND Futures Plan to have met the conditions of the safety valve report and have received the additional funding available.
- b. At the end of May 2023 Kingston maintained a total of 1656 Education, Health and Care Plans (EHCPs). This is an increase in 72 plans since the end of May in 2022, equating to a percentage increase of 4.5%. Kingston received 293 requests for an EHC needs assessment from June 2022 to May 2023, which is a 10% increase from June 2021 to May 2022. Of the EHC needs assessment requests made in the past year, 27% were made by parents and carers.
- c. A meeting was held with over 80 headteachers, senior leaders and SENCOs in schools, in order to discuss the findings from the Kingston task and finish group. This meeting included presentations from members of the task and finish group, including Peter Gray, an independent SEND consultant, on the national and local context of SEND funding in schools. The focus of the meeting was on exploring the possibility of moving to an alternative approach to mainstream funding which focuses on a cluster based model, where predictable pupil needs are supported directly by school clusters.
- d. Organisations in the Local Area, including Achieving for Children (AfC), the Integrated Care System (ICS) and Kingston Council are currently working to prepare for the next local area SEND inspection by Ofsted and the Care Quality Commission (CQC). Ofsted and the CQC have been inspecting under the [new SEND inspection criteria](#) since January 2023, and learning from this is being used to underpin the preparatory work being done, including preparing the necessary documentation, preparing the self-evaluation framework and ensuring the necessary business support is in place.
- e. The government has published [the national SEN2 data](#) on education, health and care plans (EHC plans) in England, and changes between calendar year 2021 and 2022. The SEN2 survey is a statutory data collection that takes place every January and is published in June. Headlines for England are that:
 - a. The total number of EHC plans rose by 9% in England
 - b. The requests for assessment for an EHC plan increased by 23%
 - c. The rate of EHC plans being issued within 20 weeks decreased from 60% to 51%

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

Impact and progress

- i. The primary focus of this workstream continues to be engaging with children and young people and parents and carers on their views of health, education and social care services, to ensure their voices are reflected in the update of the SEND Futures Plan and the evaluation of performance against the new inspection framework. The SEND Futures plan will then be updated in the autumn term to reflect the views we have collected from all stakeholders.
 - a. **Children and Young People (CYP)**
 - i. A survey, which can be accessed [here](#), has gone out to children and young people asking them to share

their thoughts on SEND services, including education, social care and health services. Please circulate these as widely as possible with your networks. Key themes are linked to those illustrated in the new SEND inspection framework.

- ii. AfC's Participation Officer for Children and Young People with SEND has been holding workshops in schools and colleges where she has been asking children and young people for their views.

b. Parents and Carers

- i. A survey for parents and carers, which can be found [here](#) was sent out through the Parent Carer Forum, School News and via other voluntary agencies, and asks parents and carers to share their thoughts on SEND services, including education, social care and health services. An additional survey was also sent out to gain the views of practitioners, this can be found [here](#).
- ii. The local area is grateful to the Kingston Parent Carer Forum, who have worked in partnership with AfC to host six workshops with parents and carers. The results from the survey have been written up and thematically analysed, and have been sent to the Kingston Parent Carer Forum who will use the results to inform the basis of a survey which will also go out to parents and carers. The results from this workshop will also be used to inform both the SEF and update the SEND Futures plan.

3. Workstream 2: Joint Commissioning

Impact and progress

- i. The Joint Commissioning Strategy has been updated to take account of the new Integrated Care System and the changes to commissioning.

a. SEND Placement Commissioning

- i. The SEND Placement Commissioning Team has continued to make significant reductions in expenditure in the new financial year. Their annual target to reduce actual expenditure compared to forecast expenditure is £533,000, and three months into this academic year, over 50% of this target has been achieved. So far the Kingston reductions in expenditure sit at £310,000 which represents 58% of our total target for this academic year.
- ii. There has been a new protocol established for submitting papers to the Joint Funded Agency Panel, further strengthening the processes relating to joint commissioning of placements.
- iii. A Fee Increase Protocol and Panel has been established, involving commissioners from the Integrated Care System (ICS), the SEND Team, the Placements Team and Adult Social Care. This aligns with our sovereign fee increase agreements, thus bringing in a number of shared decisions in a timely manner. In addition, the regional Commissioning Alliance for fee increases is established and is working efficiently.
- iv. Another future priority will be establishing a soft alliance between South London local authorities to share commissioning discussions and intentions with the further education sector.
- v. New roles have been created within the Commissioning Team using the Kingston Futures Fund which will give the team greater capacity to make further reductions in expenditure. Interviews have been planned in order to enable an October start.

Areas of concern

- i. Education providers have become more reluctant to offer credit notes for partial learner attendance, due to inflationary cost pressures.

- ii. There are concerns that there will be insufficient staff capacity to continue to drive down costs if recruitment for more staff is unsuccessful.

4. Workstream 3: Local provision

Impact and progress

a. Therapies

- i. Within therapies there has been a continued push to recruit staff in all areas to fill remaining posts, predominantly in Occupational Therapy.
- ii. A gap analysis of Speech and Language Therapy and Occupational Therapy is underway to inform Kingston Place and the wider Integrated Care Board regarding the required resources needed to deliver statutory provision.
- iii. The Therapies Oversight Group (TOG) terms of reference is to be revised to ensure it is up to date. Another upcoming priority will be the re-commissioning of the pre and post diagnosis service through Your HealthCare

b. Emotional wellbeing and mental health

- i. A new local strategy is being developed for the Social Emotional Mental Health strategy and provision.
- ii. There is a need to consider the local offer available for Emotionally Related School Avoidance (ERSA), given that there is currently an increasing need amongst the cohort of young people this applies to.

c. Local Places

- i. The installation of four demountable classrooms at the Duke's Centre for 6Oaks remains on course to happen in late August 2023.
- ii. At their 13th of June meeting, the People Committee approved the commitment of funding for a vocational centre at St Philip's for young people aged 14-19.
- iii. Coombe Academy Trust has commissioned a feasibility for the reconfiguration of the specialist resource provision areas at Knollmead to address condition issues.
- iv. Progress is ongoing with The Kingston Academy to provide additional space for young people with special educational needs, which will free up more space for pupils with SEND within the main building. We are waiting for a response from the National Autistic Society regarding the resurrection of a proposal to build a 20-place Cullum Centre specialist resource provision at the school.
- v. The Spring School remains on schedule to open in September 2023 in the Norbiton primary school building, with a handover expected on the 3rd of July.

d. 16 to 25 Years

- i. There has been an agreement to develop eight new supported internships in Kingston from this September. In addition, Achieving for Children is currently working in partnership with Ambitious about Autism to develop an additional 24 supported internships for children and young people with SEND next year.

- ii. Next Steps careers guidance interventions were completed in April to June 2023. There were 21 learners in Kingston in Year 10 with an EHCP, and 11 Kingston learners who were at risk of being not in education, employment or training (NEET) who were referred from borough schools in years 10-13. All of the learners scored 7,8 or 9 out of 10 in feedback asking them to consider how useful their next steps meeting had been and some of the individual feedback was very positive, especially on advice given for vocational options.
- iii. As part of the Kingston Transitions Board, learning disability pathways have been developed, and a number of other sessions including workshops on Mental Health and Autism.
- iv. There are plans to hold a Transitions and Local Offer fair for children and young with SEND and their parents and carers on the 10th of October.

Areas of concern

- i. The extent of the remaining uncommitted education capital funding is yet to be clarified. This is particularly prevalent in regards to school condition issues in Kingston.
- ii. The Department for Education has yet to procure a new contractor to finish the permanent accommodation for Spring School so there is a small risk that it will not be completed by September 2024, however progress has been made with this.
- iii. There is a need for further parental involvement in activity and planning related to young people's transition between educational settings and services in Kingston.
- iv. Young people who access SEN Support have been identified by both parents and young people during feedback sessions as needing more support at transition points than they currently get.
- v. The lack of capacity and inability to retain staff working in Continuing Healthcare Health continues to impact the quality and timeliness of health transitions for young people.
- vi. There is a concern around the increasing number of children and young people who fit into the category of Emotionally Related School Avoidance (ERSA), leading to an increasing need to invest in further provision and early interventions to meet this need.
- vii. Further training is needed for colleagues in the Mental Health Team around making contributions to EHC needs assessments.
- viii. Waiting times for Attention deficit hyperactivity disorder (ADHD) and Autistic Spectrum Condition (ASC) assessments continue to be a concern and are proving difficult to reduce despite increased staffing.
- ix. Given the expansion of a number of specialist places, there is a need to ensure that there is enough capacity to provide therapy in new provisions.

5. Workstream 4: Early intervention and transitions

Impact and progress

a. First 1,001 Days and Early Help

- i. Supporting Families Consultants are working with schools to complete early help assessments and team around the child plans.

- ii. The Parent Champion Network has increased its pool of volunteers and is now running several activities across youth and children's centres.
- iii. Children's Centre data shows a return to pre-Covid numbers of individuals visiting the centres and engaging in the programs. Families report an appreciation for the routine, communication and play ideas they receive through the universal offer.
- iv. The next steps for this workstream will be to agree on the first Family Hub for Kingston and commence consultation with key stakeholders. There are also plans to establish working groups to support the development of the Family Hub model and ensure we have the service pathways and provision needed to provide an all-age offer.

b. Early Years onwards

- i. The SPARK Education inclusion toolkit project for September 2023 has now been launched, and the schools' usage of the toolkit is being regularly monitored.
- ii. Data from schools on pupil attendance is being shared half termly which will help build a better understanding on the work that needs to be done to tackle school attendance. In addition, the role the School Improvement Partner (SIP) team could play in supporting attendance is being explored as part of the wider strategy to improve school attendance.
- iii. Work is ongoing in developing a pathway of support for Emotionally Related School Avoidance (ERSA), this is currently in draft form following developments.
- iv. The next steps will be to finalise and publish the alternative provision strategy, and the attendance strategy. There are also plans to finalise the social and emotional mental health (SEMH) action plan.

Areas of concern

- i. Further work is needed on better understanding the structure of health pathways and the impact of this support for young people with SEND experiencing ERSA.
- ii. With Family Hubs having an all age focus, there will need to be a continued targeted offer for early years and trauma informed practice to ensure the first 1001 days of a child's life are supported in regard to their physical, mental and emotional health and development.

6. Workstream 5: Assessment and planning

Impact and progress

- i. There has been an investment in the provision of training and advice for health providers, in order to ensure health professionals have a clearer understanding of their statutory duties and access to e-learning in order to support this provision.
- ii. Drop-in sessions have been held for SEND staff to discuss key areas of concern relating to health. This has, for example, given the Designated Clinical Officer more accessibility to follow up any delays in assessment process.
- iii. Pathways have been developed for Mental Health Services around providing health advice within statutory timescales, the next step will be to review the impact of this work.
- iv. There has been a quality assurance deep dive to ensure that health information is clearly described and understood in EHCP's, with the impact of this work still to be reviewed.

- v. A key future priority will be analysing the data sharing process with all stakeholders to identify where processes could be streamlined to enable better information sharing across services.

Areas of concern

- i. The waiting times for therapy assessments are still a concern, which relates to shortages in the workforce for therapy provision.
- ii. Further work and training is needed in order to improve the consistency in quality of EHCP health advice.
- iii. Currently, there is a lack of consistency in the data sharing process across teams and organisations which is causing delays in the delivery of timely advice.
- iv. There is currently no health representative on EHCP panels due to the lack of capacity of Designated Clinical Officer (DCO), given that they are in the role for two days a week (across both Richmond and Kingston). The good news is that an advert has now gone out for a permanent full time (across Richmond and Kingston) DCO with interviews due to take place before the end of July.

6. Finance update

- i. In the financial year 2022/23 the Borough's High Needs Block of the Dedicated Schools Grant overspent by over £4.5 million and an overspend is again forecast for financial year 2023/24. This will become even more of an issue when the Safety Valve agreement ends in March 2025 and so a solution needs to be found before then.

	Budget £m	Outturn £m	Variance £m	Future Demand £m	Variance incl Future Demand £m
2022/23 DSG Outturn					
Schools Block	121.448	121.441	(0.008)	0.000	(0.008)
Central School Services Block	1.065	1.056	(0.008)	0.000	(0.008)
Early Years Block	13.058	12.594	(0.463)	0.000	(0.463)
High Needs Block	29.674	34.416	4.742	0.000	4.742
Sub-Total	165.245	169.508	4.263	0.000	4.263
2021/22 Carry forward	(9.820)	0.000	9.820	0.000	9.820
Safety Valve Funding	8.000	0.000	(8.000)	0.000	(8.000)
Council Funding	1.270	0.000	(1.270)	0.000	(1.270)
Total	164.695	169.508	4.813	0.000	4.813

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RBK - SEND FUTURES PLAN RISK REGISTER - Sept 2023

Risks	Impact	Strategy	Actions	Risk Score
Partnership Board				
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 / Place Based Partnership Committee. 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 / Place Based Partnership Committee, 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
SEND Futures Plan: All workstreams				
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 &	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. 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.	Mitigate	The following actions are being taken: - Job profiles, salary levels, adjustment to T&Cs and salary/ contract alignment with other providers and the recruitment process attract good candidates with relevant expertise and experience. - There is an effective induction, development and support package available to all professionals involved. - Pan system work to combat recruitment and retention issues within the services. Creative solutions are being sought across the service to combat current recruitment issues. - Flexible working arrangements are available including secondments from schools.	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. This includes staffing efficiencies to be delivered in the current financial year. 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
Workstream 1: Participation , Engagement and Co-production				
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
Workstream 2: Joint Commissioning				
Commercial	Placement costs are not reduced, meaning that additional	Mitigate	The strategic approach to commissioning is strengthened	High

negotiations with SEND providers are unproductive. Costs of placements continue to increase through provider costs, inflationary pressures and supply/demand pressures.	savings have to be found from other areas of the plan. 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.		through improved commissioning practice and processes 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
Workstream 3: Local Provision				
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	There is an increase in the number of disputed EHCPs and appeals to the First-Tier SEND Tribunal on the basis of	Mitigate	There is a clear strategy to promote the resources and facilities available in local provision and the outcomes	Moderate

confident that local mainstream schools, specialist resource provisions and special schools are able to meet their child's assessed needs.	parental preference. The workload for SEND professionals is increased and there is a potential for the tribunal to direct that the local authority makes alternative and higher cost provision.		they achieve for children and young people with SEND. 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. The most immediate impact will be if a new construction firm to complete Spring School in Chessington is not confirmed quickly enough for the permanent site to open ready to take children in September 2024.	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 and subsequent updates are implemented asap, updated for the increase in need since then, and sufficient funding and resources secured. Continue to escalate to ICB executive as required.	High
Emotional wellbeing and mental health needs amongst children and young people with and	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. Complete independent review of provision by the end of 2023.	High

without SEND increase				
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
Workstream 4: Early Interventions and Transitions				
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	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	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	Moderate

deliver change on SEND practice.	schools on inclusion is limited which creates barriers to improving this across the borough as a whole. Schools are experiencing lots of different pressures which are impacting their ability to deliver on the SEND agenda.		triangle and the options of early intervention that are available to them, this will assist with schools being more inclusive. Deliver recommendations of Peter Gray's January 2023 report / outcomes of task and finish group looking at alternative methods of SEND funding in mainstream schools.	
Workstream 5: Assessment and Planning				
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	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	Mitigate	There is a priority programme for annual EHCP reviews and quality assurance.	High

EHCP assessments and plans.	higher cost provision.			
Annual review process being late and lack of capacity for SENDCOs to complete in line with person centred approach	Schools not completing Annual Reviews on time impacts 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.	Mitigate	Providing relevant training to schools through various 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.	High
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
Workstream 6: Transitions and pathway planning (NB: this workstream is in the process of being established in Kingston)				
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. The Transitions Board leads the development and implementation of any identified required improvements.	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	High

			that they are developed to ensure that the transitions pathway is as clear and defined as it can be for CYP.	
Lack of engagement from health partners for the 18-25 year old cohort	That health transitions for this cohort will not improve due to lack of representation (including through vacant posts) from individuals that can affect change	Mitigate	Ensure ICB Executive is aware of statutory duties and 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	High
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