

**Royal Borough of Kingston upon Thames  
Safety Valve Agreement**

**Quarter One 2021/22 Summary Update Report**

<b>Date Submitted</b>	18th June 2021
<b>Data Date</b>	31st May 2021
<b>Signed off by S151 Officer</b>	Sarah Ireland
<b>Signed off by Director of Children’s Services</b>	Ian Dodds
<b>Background documents</b>	<a href="#">Safety Valve Agreement</a> <a href="#">SEND Futures Plan</a>

Kingston has made significant progress on all SEND Futures Plan areas associated with the Safety Valve Agreement in the last three months since the agreement was signed. There is a **good level of confidence** that the terms and conditions for 2021/22 will be fully met and that this work will support the achievement of conditions associated with future years.

The latest iteration of the SEND Futures Plan will be endorsed by Kingstons People Committee in June 2021 and has been published on the [Local Offer website](#). The latest plan and progress update will also be presented to Schools Forum on the 29th June 2021 and the papers will be published on the [Schools Forum meeting agenda](#) on the Council’s website.

The SEND Partnership Board, which brings partners together to monitor the plan every two months, met in May 2021 and the papers have been published on the [Local Offer website](#). The SEND Partnership Board paper provides a detailed update on the five SEND Futures Plan workstreams including progress made, emerging issues and upcoming priorities. The report is attached as appendix C to this report. 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. There is a good level of assurance given for all but two areas. It is too early in the year to provide absolute assurance that the conditions will be met for these two areas but we are monitoring activity and are assured that this is moving forward in the right direction. There are no low assurance areas meaning **there are no areas where Kingston does not think it will meet the conditions set out in the agreement** at this stage.

Agreement Condition	Assurance Level
<b>Condition 2: Maximum Forecast DSG Deficit Profile at year end £28.6m</b>	<b>Good</b>
<p>Progress update:</p> <p>Good level of assurance that this target will be met as evidenced within <a href="#">June Schools Forum reports</a> and appendices A and B. Current projected deficit on the DSG Fund before safety valve funding is £27.9m compared to the max threshold set of £28.6m. Demand is projected to exceed the target set and so this will be a focus over the coming months. The increase in demand is not expected to result in the maximum deficit</p>	

threshold being exceeded. The action being taken to mitigate this pressure and manage demand for EHCPs is explored further in the SEND Partnership Board update (app C) and summarised in 3.1 below. This will be an area of focus for the workstreams and partners over the coming months.

The key indicators to note are:

KPI	SVA Target	Projected
Max cumulative deficit before safety valve funding	£28,607,000	£27,886,000
Max number of EHCPs @Jan census (estimated)	1,537 (+101)	1,550 (+121)
Increase in EHCPS @ 31 May		1,447 (+18)

**Condition 3.1: Improve support available in schools to manage demand more effectively and reduce escalation of need.**

**Good**

Progress update:

This condition aligns with the work associated with Workstream 4 of the SEND Futures Plan ‘Early Intervention and Transitions’. A detailed update is contained in appendix C and progress over the last few months is summarised below:

- i. The workstream has met to agree next steps following findings of the LGA SEND Review in Kingston. These findings included a number of recommendations relating to the remit of this workstream. The findings are attached at Appendix E.
- ii. Early Help Resilience Networks. Networks have been held for the three age groups (0-4, 5-10, 11+). A range of needs have been presented and all have been sign posted to local services / organisations. Excellent feedback has been received from those observing and presenting - in regard to the range of options available and the chairing of the network. The Early Help Strategic Board, which is attended by senior representatives from across the partnership, oversees the KPIs and impact of the resilience networks.
- iii. Nurture programmes. The last workstream meeting discussed impact measures and members were provided with reassurance of the direction of the initiative which is coming to the end of its first year.
- iv. Following on from the establishment of a working group on a Quality First Teaching Charter with four sub groups covering Quality First Teaching, Training, Menu of Assessments and interventions, leads have now been appointed to each of the sub groups to take things forward. A core group meeting is to be held later in May where the road map will be shared. The aim is to have a draft version of the resource available for consultation in the autumn term.
- v. Transition. A considerations checklist has been created for schools and colleges to use to support both Key Stage 2 to 3 and Key Stage 4 to 5 transition, as has a protocol for guiding schools and

colleges with KS4-5 transition. Thanks to school colleagues for their assistance with this, the final version of which is close to being shared.

**Condition 3.2: Expand specialist provision to avoid placements in more expensive Non Maintained Special Schools and independent special schools.** Good

Progress Update:

This condition aligns to Workstream 3 of the SEND Futures Plan, 'Local Provision' with further information detailed in appendix C. Key areas of progress can be summarised as follows:

a. Therapies

- i. Draft spot-purchasing framework agreement is now in place, subject to final sign off from the Therapies Oversight Group (TOG)
- ii. New specifications for each of the therapy services have been drafted. These are now being discussed by the providers and we will work to finalise in the coming months. Providers are already working to the specifications in principle
- iii. Year two priorities and funding has been agreed
- iv. In May 2021 the TOG will focus on finalising the Key Performance Indicators which will enable data collection for the remainder of 2021-22 to establish a clear baseline

b. Emotional wellbeing and mental health

- i. Completing review of existing provision to describe 'as is' situation and use to inform vision and begin business case
- ii. Meeting SWLStG and CCG to consider possible move to Thrive model
- iii. Links established with Merton regarding next steps and lessons learnt to shape our plans

c. Local Places

- i. New Dysart primary provision in North Kingston planned for September to meet increased demand
- ii. Alexandra Primary, Key Stage 2 Specialist Resource Provision building work agreed for September
- iii. ASC Free School, Moor Lane site plans are developing, regular meetings being held with Ambitious About Autism (AAA) to plan for the first cohort. Meeting to be held with AAA and Orchard Hill College and Academy Trust (OHCAT) to scope out clear designation / type of need in each school
- iv. Kingston 16-25 campus plan is developing across AfC and Adults' and meeting with OHCAT staff.
- v. Consultation meetings with young people and families planned in June. Bid for capital funding submitted to DfE. Business case developing, for agreement at RBK SLT

£139k of £191k in cost mitigations have been confidently achieved to date. More savings will emerge during the year and the cost mitigation that has been built into the SEND Futures financial modelling is expected to be fully achieved this year.

<b>Condition 3.3: Manage demand for Education Health and Care Plans (EHCP) by scrutinising provision at each annual review and continuing to work with consultants Mastodon C to forecast and manage EHCP growth during 2021-22.</b>	<b>Good</b>
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Progress Update:

This condition aligns with Workstream 5, 'Assessment and Planning' with a full update contained in appendix C and summarised below:

We are developing a quality assurance mechanism for annual reviews and we have clarified health provider participation in annual reviews as follows, reflective of the Code of Practice requirement for health providers to "collaborate":

1. school inform provider of annual review date
2. provider will provide summary report on progress against targets,
3. provider will attend and provide a report where there is a change in need +/- or provision).

Further work is needed to work with school partners to ensure they are engaging with providers to ensure effective graduated approach is applied to annual review activity; where relevant seeking advice from Educational Psychologist. Additional resources have been provided to the SEND team to support the administration of the Annual Review process.

Mastodon C has been commissioned to update the medium term forecasts.

<b>Condition 3.4: Improve efficiency of commissioning services to drive down cost.</b>	<b>Medium</b>
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Progress Update:

This conditions aligns with Workstream 2, 'Joint Commissioning' with a full update in appendix C and summarised below:

- i. Progress with the implementation of the recommendations of the therapies review, overseen by the Therapies Oversight Group (TOG) continues. Sue Lear (Deputy Director of Transformation NHS South West London CCG, Richmond and Kingston) will chair the TOG from June.
- ii. The new Joint Children's Commissioner (a post shared across South West London CCG and & AfC) has started (Karel Stevens-Lee) and amongst other things is leading on the joint spot purchasing framework for therapies.
- iii. The Section 75 Partnership Group is being established and representatives from children's services from both SWLCCG and AFC will be part of the membership
- iv. Consultation on short breaks launched on March 23rd and ran to 17th May

£107k of commissioning savings have been identified to date compared to a target of £351k. This is normal given we are only two months into the year and more savings will emerge as we progress and particularly when we have finalised the fees for the new academic year placements. A medium level of assurance is given

as we have not clearly identified the specific placement savings yet but are confident that this is achievable during the remaining 10 months.

**Condition 3.5: Increase contributions from health and social care.** Medium

Progress Update:

Contributions are projected to increase by £235,000 (compared to £599k built into the base plan) based on known EHCPs. This projection does not allow for EHCPs that are not yet approved and so contributions are likely to increase during the year as this information becomes available. The contributions to date have actually reduced in all areas except adult health, however, there will be significant placement changes and phase transitions for September 2021. This will be an area of focus over the coming months as placements and associated funding is agreed for the new academic year. A clearer framework and more proactive agreements have been introduced and we are confident that the actual achievement will improve over the next 10 months.

Partner	Actual Increase in contribution relative to 2020/21
Children's social care	-£111k
Adult social care	-£75k
Children's health	-£43k
Adults health	+£69k
<b>Total</b>	<b>-£160k</b>

**Condition 3.6: Commission a Local Government Association (LGA) peer review and implement any recommendations arising from it which drive sustainability in their high needs system.** Good

Progress Update:

The Peer Review has been completed. Draft findings received and attached as Appendix E. Findings will be formally considered once the full report is available. Interim findings are already being discussed, including at Schools Forum, and where appropriate reflected in plans.

**Condition 3.7: Reforming of the authority's post-16 offer, including but not limited to development of new provision.** Good

Progress Update:

This condition is being progressed as part of Workstream 3 'Local Provision'.

- i. Two new externally funded re-engagement projects started up through 'way to work' team: one aimed

at those with mental health issues and the other at young people with chronic, ongoing health needs/disabilities

- ii. Next steps interviews completed for Y11 young people with EHC plans and Year 10 EHC plans and who are SEN Support (both remotely and since March, face to face)
- iii. Post 16 transition checklist to accompany data requests to schools for notification of any Year 11 SEN Support/EHCP learners who are at risk of NEET. Schools to 'RAG-rate' learners in terms of risk and AfC to share with Colleges so appropriate support can be put in place
- iv. Statutory September Guarantee data from schools to identify learners without an offer for September - 14-25 team to follow up over summer 2021
- v. Develop links with council's Maximising Independence Board
- vi. Post 16 Campus business case is in draft with a final version due for September. 3110 have been commissioned to develop the business case. Partner workshop has been held to explore how it could work as well as the opportunities and risks. A bid for capital funding has been submitted to the DfE to support this project and initial conversations have been held regarding potential sites.

£46k of the £120k savings target has been achieved. There is however a good level of confidence that the full saving / cost mitigation will be achieved.

**Condition 3.8: Contribute to the reduction of the cumulative deficit via alternative council funding sources in each financial year covered by this agreement.**

Good

Progress Update:

All 2021/22 budget transfers that were built in to the financial modelling have been agreed as follows:

£1.2m general fund contribution agreed for 2021/22.

£462k in block transfers agreed as part of DSG budget setting process.

The SEND Futures Plan update report identifies a number of emerging risks. Risks are monitored by the Director of Children's Services and his team and where needed associated mitigating actions are identified and implemented. Appendix D provides the SEND Futures Plan risk register for information. None of the risks are likely to compromise progress on the SEND Futures Plan in the short term. However it is important that the following two risks are carefully monitored:

- Impact of Covid 19, particularly on the timely delivery of health support, need for emotional health services and impact on need and complexity of EHCPs. DCS will work with partners to monitor this area closely over the coming year so that partners can ensure these services are adequately resourced.
- The Director of Commissioning has left Achieving for Children. This director was co-leading the Joint Commissioning Workstream. Recruitment is underway to add capacity at an operational level. Peopletoo has been commissioned to provide temporary capacity whilst

the recruitment is completed.

**Summary of appendices**

Appendix A - Demand and Financial Management Dataset

Appendix B - SEND Futures Plan Budget Monitoring

Appendix C - SEND Futures Workstream Update

Appendix D - Risk Register

Appendix E - Draft Findings of Kingston LGA Peer Review

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Ref	Key Performance Indicator	Baseline 31st March 2021	Target 21/22	2021/22 MAY	RAG	Comment	Target Derivation	KPI Category
1	Actual EHCPs	1429	1447	1447	G	1,537 full year target, 1,447 for 2 months	Pro rata	Demand Management
2	% increase in EHCPs	6.72%	1.17%	1.26%	A	7% full year target, 1.33% for 2 months	Pro rata	Demand Management
3	Net EHCPs @ Jan Projected	1,436	1,537	1,550	A		Annual - In Plan	Demand Management
4	% increase	9.29%	7.00%	8.47%	A		Annual - In Plan	Demand Management
5	New EHCPs	n/a	172	24	G		Annual - In Plan	Demand Management
6	Ceased EHCPs	n/a	-72	-7	A	Ceased plan profile increases over summer as CYP increase in age / no longer need plans	Annual - In Plan	Demand Management
6a	Movers	n/a	n/a	1	G		Annual	Demand Management
7	% of EHCP per head of population	2.20%	2.20%	2.25%	A	2.65% is national average, amber as increased	Annual	Demand management
8	% of pupils with SEN Support	9.40%	9.40%	9.40%	G		Annual	Demand management
9	HNB Surplus / Deficit	£6,564,065	£5,432,000	£5,120,000	G	Excludes £1.2m GF contribution	Annual - In Plan	Financial Control
10	HNB Spend	£30,270,400	£31,791,000	£31,680,146	G		Annual - In Plan	Financial Control
11	HNB Spend - direct (includes recoupment and future demand)	£28,793,720	£29,912,412	£29,813,462	G		Annual	Financial Control
12	HNB Spend - central	£1,476,680	£1,878,588	£1,866,684	G		Annual	Financial Control
13	In Year DSG Surplus/Deficit	£5,149,967	£3,482,000	£3,485,000	G	Includes £1.2m Gf contribution	Annual - In Plan	Financial Control
14	Cumulative DSG Surplus/Deficit - before safety valve funding	£24,401,000	£28,607,000	£27,886,000	G		Annual - In Plan	Financial Control
15	Cumulative DSG Surplus/Deficit - after safety valve funding	£12,401,000	£11,607,000	£10,886,000	G		Annual	Financial Control
16	Funding gap as % of HNB allocation	-30.09%	-22.76%	-22.33%	G		Annual	Financial Control
17	Early Years outturn	£-871,000	£-750,000	£-436,000	A	Projection based on historic trends, census data not yet available	Annual - In Plan	Financial Control
18	HNB DSG allocation	£23,268,514	£25,897,000	£25,896,881	G		Annual - In Plan	Financial Control
19	Block transfers	£437,800	£462,000	£662,800	G		Annual - In Plan	Financial Control
20	General Fund	£0	£1,200,000	£1,200,000	G		Annual - In Plan	Financial Control
21	Savings / mitigation < 16 HNB only	n/a	£666,000	£309,967	A	Further savings expected in new academic year	Annual - In Plan	Financial Control
22	Savings / mitigation > 16 HNB only	n/a	£595,000	£217,459	A	Further savings expected in new academic year	Annual - In Plan	Financial Control
23	Average cost - all HNB 2 - 18	789	841	838	G		Annual	Value for Money
24	Savings / mitigation - HNB only	n/a	£1,261,000	£527,426	A	Further savings expected in new academic year	Annual - In Plan	Value for Money
25	Average placement cost < 16s	£18,778	£16,483	£16,797	A		Annual	Value for Money
26	Average placement cost > 16s	£13,206	£11,877	£11,778	G		Annual	Value for Money
27	Average cost of an independent < 16	£38,140	£33,313	£33,657	A	Will be reviewed once new academic year cohort costs known. Focus for commissioning and local provision workstream	Annual	Value for Money
28	Average cost of maintained / academy special school - in borough	£29,683	£28,650	£28,547	G		Annual	Value for Money
29	Average cost of maintained / academy special school - out borough	£30,204	£27,473	£29,189	A	Will be reviewed once new academic year cohort costs known. Focus for commissioning and local provision workstream	Annual	Value for Money
30	Average cost of an independent > 16	£32,658	£34,051	£33,837	G		Annual	Value for Money
31	Average cost of FE colleges > 16	£2,495	£2,711	£2,691	G		Annual	Value for Money
32	Average cost of ISP > 16	£39,088	£29,202	£29,172	G		Annual	Value for Money
33	Average cost of in borough special school > 16	£30,606	£24,949	£24,766	G		Annual	Value for Money
34	Average placement cost - alternative provision	£17,695	£17,171	£16,768	G		Annual	Value for Money
35	Savings / mitigation - alternative provision	£133,000	£0	£0	G		Annual	Value for Money
36	Annual Review Savings / mitigation all age	n/a	n/a	n/a		Report being developed	Annual	Value for Money
37	Average cost of an Education, Health and Care Plan (EHCP)	£21,183	£20,684	£20,009	G		Annual - In Plan	Value for Money
38	% of spend in: the independent, non-maintained special school and independent college sector	28.45%	26.60%	26.37%	G		Annual	Value for Money



## KINGSTON FINANCIAL MODEL MONITORING

KINGSTON FINANCIAL MODEL	2021/22			RAG
	Financial Model	May Projection	Variance	
	£m	£m	£m	
HNB allocation	25.897	25.897	0.000	G
Budget additions (transfers)	0.462	0.663	0.201	G
<b>Total budget</b>	<b>26.359</b>	<b>26.560</b>	<b>0.201</b>	<b>G</b>
<b>HNB expenditure before savings</b>	<b>33.052</b>	<b>32.208</b>	<b>-0.844</b>	<b>G</b>
Increased places in Specialist Resource Provisions (SRP)	-0.071	-0.056	0.015	G
Review of SRP vacant place funding	-0.073	-0.041	0.032	G
Increased special school places	-0.047	-0.042	0.005	G
Development of post 16 offer	-0.120	-0.046	0.074	A
Improved commissioning practice including annual reviews	-0.351	-0.107	0.244	A
Contributions from other partners (health & social care)	-0.599	-0.235	0.364	A
<b>HNB expenditure after savings</b>	<b>31.791</b>	<b>31.680</b>	<b>-0.111</b>	<b>G</b>
<b>Net HNB deficit</b>	<b>5.432</b>	<b>5.120</b>	<b>-0.312</b>	<b>G</b>
Variance in other DSG blocks	-0.750	-0.435	0.315	A
General Fund Contribution	-1.200	-1.200	0.000	G
<b>Net HNB Deficit</b>	<b>3.482</b>	<b>3.485</b>	<b>0.003</b>	<b>G</b>
<b>Net DSG deficit - cumulative before safety valve</b>	<b>28.607</b>	<b>27.886</b>	<b>-0.721</b>	<b>G</b>
<b>Net DSG deficit - cumulative after max safety valve</b>	<b>11.607</b>	<b>10.886</b>	<b>-0.721</b>	<b>G</b>