

## 1. Audit Summary – Special Educational Needs and Disability (SEND) 2021/22

### Background and Context

- 1.1 The Special Educational Needs and Disability (SEND) system is the system that supports children and young people with additional needs throughout their education. The regulations relating to SEND are set out in the Children and Families Act 2014 and the Code of Practice produced by the Department for Education and Department for Health. During September/October 2019, Ofsted and the Care Quality Commission conducted a joint inspection of the local area of the City of Bristol. The outcome required the Council, in conjunction with the Local Area Clinical Commissioning Group, to provide a Written Statement of Action responding to five areas requiring improvement.
- 1.2 From concerns raised by the Cabinet and Senior Officers, Internal Audit was requested to review the case-working process between referral and completion of an EHC (Education, Health and Care Plan), which must comply with the 20-week period timescale. In November 2019 Internal Audit provided 'limited assurance' that the systems and processes in place would achieve the statutory timescales. This was followed by a second audit in May 2021 with a 'reasonable assurance' opinion provided on progress made, though still concluding significant risk remained as most cases were not meeting the deadline.
- 1.3 The SEND system is the means by which support for those children and young people who most need it is identified and assessed. It is important that the Council has robust processes and controls to ensure that EHCs and annual reviews are undertaken promptly.
- 1.4 The Internal Audit took place during the Covid pandemic; DfE figures suggest that all SEND and Educational Psychology services were working with a 20% reduction in capacity during this period.

### Scope and Objectives

- 1.5 The scope of the assignment included the following areas:
- Casework management for new assessments, annual reviews and complex (backlog) cases
  - Coverage and results of Quality Assurance (QA) checks on new EHCs and annual reviews
  - Data quality supporting the Performance Scorecard and Clinic Report.

The audit excluded:

- Other content referred to in the Written Statement of Needs, for example early identification of SEND children; achievement of SEND children; leadership and accountability
- Provision for post 16s not in education, employment or training
- The Time for Change programme.

### Audit Opinion

- 1.6 Overall, Internal audit obtained **limited assurance** that that the Council has effective arrangements for managing the risks associated with SEND (casework processing, quality assurance controls and data quality). Internal Audit raised four high priority and three medium priority findings:

### Key Messages and Findings:

- 1.7 In 2021 the Council achieved an EHC completion rate of 34% within the 20-week deadline; an improvement from 20% in 2020. While the trend is positive, the improvement in processing times has not been as much as anticipated and the DfE benchmark for Local Authorities in England for 2021 was 59.9%.



- Closer working between the SEND and Educational Psychology teams, resulting in more and timely Education Psychologist reports
- Reviewing the priority of legacy cases and other high profile reviews
- Putting a new AR Pod in place to improve timeliness and address the pressure in the system relating to AR paperwork. Further recent investigation by the Statutory SEND team suggests higher completion of ARs due than the Internal Audit estimate. Changes to the EHM system and planned work will ensure that the annual review data increases in reliability and validity
- Data cleansing to improve EHM reporting of when ARs were due
- Implementing a strategic QA plan, establishing a Multi-Agency QA group which will meet every two months to improve professional contributions and overall EHC plans
- Ensuring a continued emphasis on QA for not only the statutory SEND team but also the Education and Skills directorate as well as SEND Partnership Board and SEND Improvement Board linking with Health, Social Care and Education providers
- Piloting an Annual Review School Improvement Tracking Tool to improve quality of paperwork and timeliness
- Developing an Annual Review scorecard to be populated and updated monthly once data confidence has been established following the data cleanse
- Maintaining close supervision of caseloads and reporting to Performance Clinics
- Adding data from Power Bi on staff sickness and turnover to Performance Clinics reports.