

# People Scrutiny Commission

26 September 2022



**Report of:** Hugh Evans, Executive Director, People

**Title:** Education Health and Care (EHC) performance update

**Ward:** All

**Officer Presenting Report:** Richard Hanks, Head of Service - Learning City for All & Vikki Jervis, Head of Service Accessible City

## **Recommendations:**

Scrutiny to note the content of this report.

## **The significant issues in the report are:**

- Overall, Education Health and Care (EHC) Plan timeliness target has not been achieved.
- Number of EHC Needs Assessment (EHCNA) completed has improved: 579 in 2021; 423 EHC plans already finalised in the first seven months of 2022.
- Performance continues to be affected by the rise in new EHCNA requests: a 17% increase from 2020 to 2021.
- 20 week targets are going to remain under pressure until all overdue cases have been worked through.
- National SEND Review: right support, right place, right time underway - consultation has closed.



## 1. Summary

Work to improve the timeliness of the Education Health and Care Needs Assessment (EHCNA) process began in the summer of 2019. Following an Ofsted inspection of the effectiveness of the local area's SEND arrangements in October 2019, the improvement work was formally incorporated in the council's Written Statement of Action (WSoA) published in 2020.

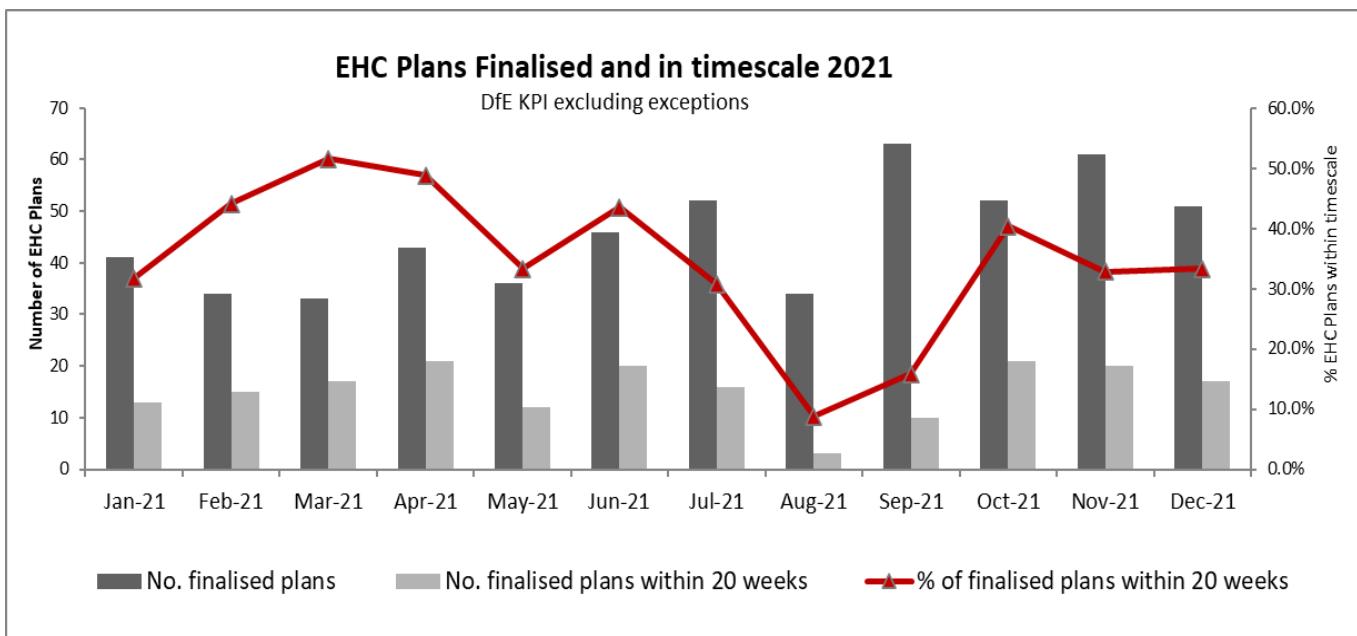
Scrutiny received a report on the 2021 year-end data in March 2022. This report provided

- an update on 2021 timeliness benchmarked against the DfE national SEN2 data sets (published in March 2022)
- an overview of in year timeliness since December 2021
- The challenges, and action being taken to mitigate them.

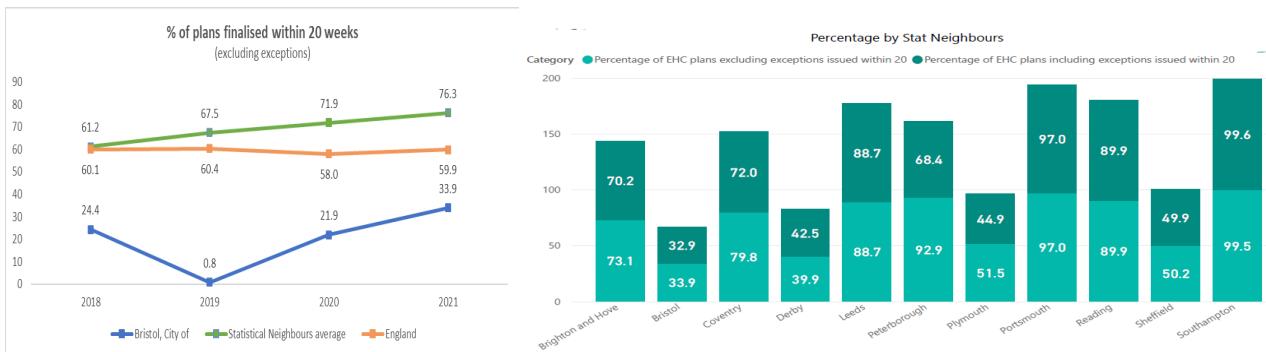
## 2. Performance

2.1 As reported to People Scrutiny in March 2022, despite the increased resource committed to the Statutory Assessment Team and Educational Psychology Service, the continued increase in new requests for EHCNAs, and varying vacancy levels, meant that overall timeliness fell short of target at year end 2021.

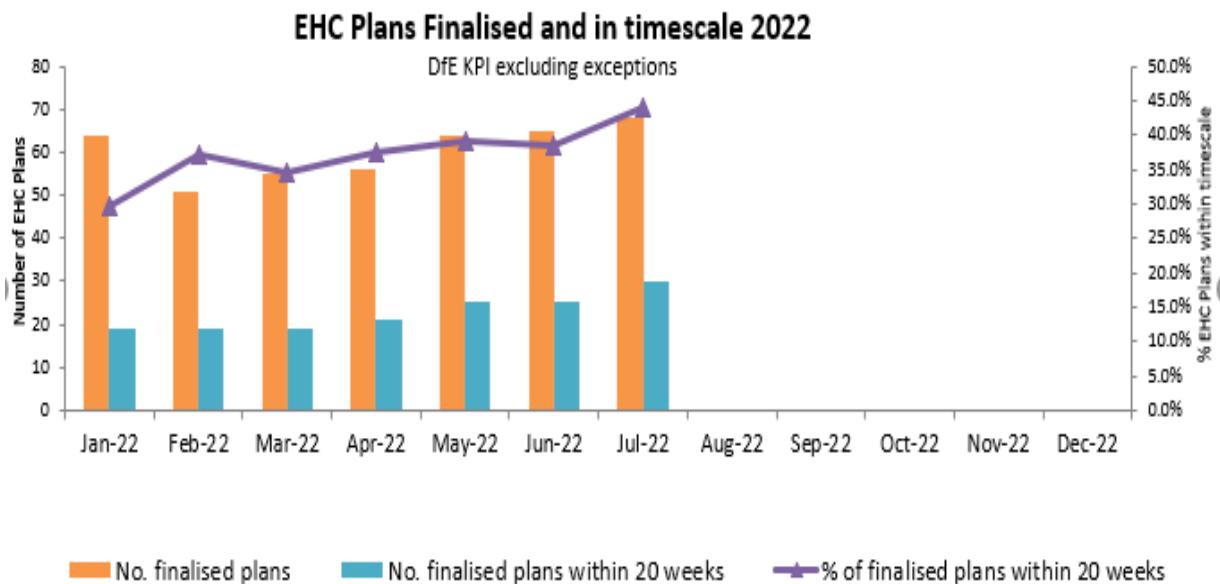
2.1.1 EHC Plan timeliness (excluding exceptions) improved from 0% in 2019 to 33.9% of EHC plans finalised within the 20-week timescale year to end December 2021 (excluding exceptions) but remains below statistical neighbour and national averages.



2.1.2 The next chart shows that nationally, there has been a slight increase in timeliness (1.9 percentage points excluding exceptions) with the statistical neighbour average also increasing from 71.9% to 76.3%.



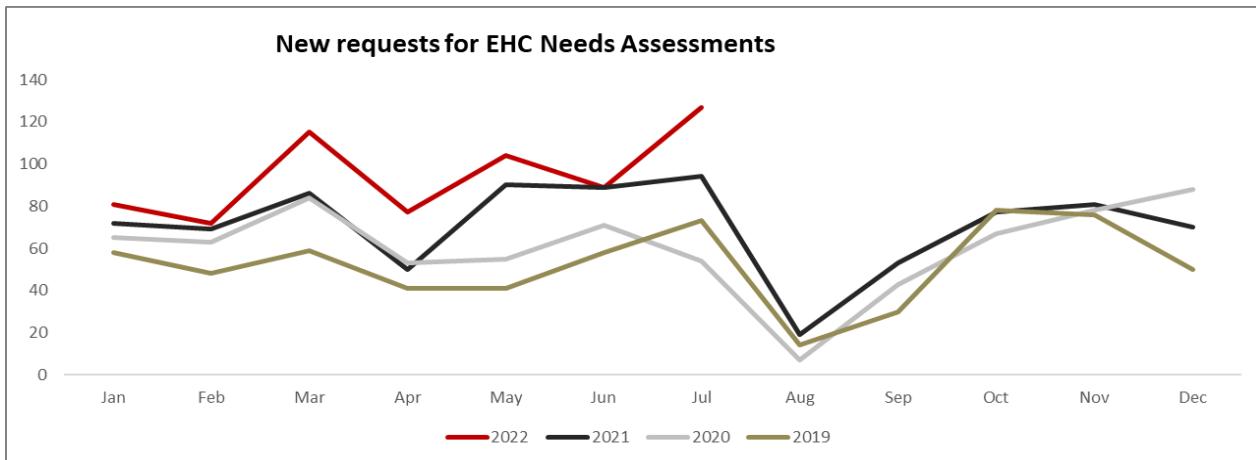
2.2 From January 2022 to end of July 2022, 158 plans were issued within the 20-week timescale, 37.4% cumulative for the year so far.



2.3 Performance continues to be affected by the continued rise in new EHCNA requests.

- In 2020, **728** EHCNA requests were received.
- In 2021, **850** EHCNA requests were received, a 17% increase

2.3.1 There has been considerable work undertaken with schools to strengthen the school-based stages of the code of practice (e.g. issuing of Ordinarily Available Provision Guidance and training, as well as a comprehensive workforce development plan), but this is yet to impact on the rising demand for EHCNAs as shown by the next graph.



From January to the end of July 2022 a total of **665** EHCNA requests have been received, with July alone seeing 127 requests: the highest in any one month so far.

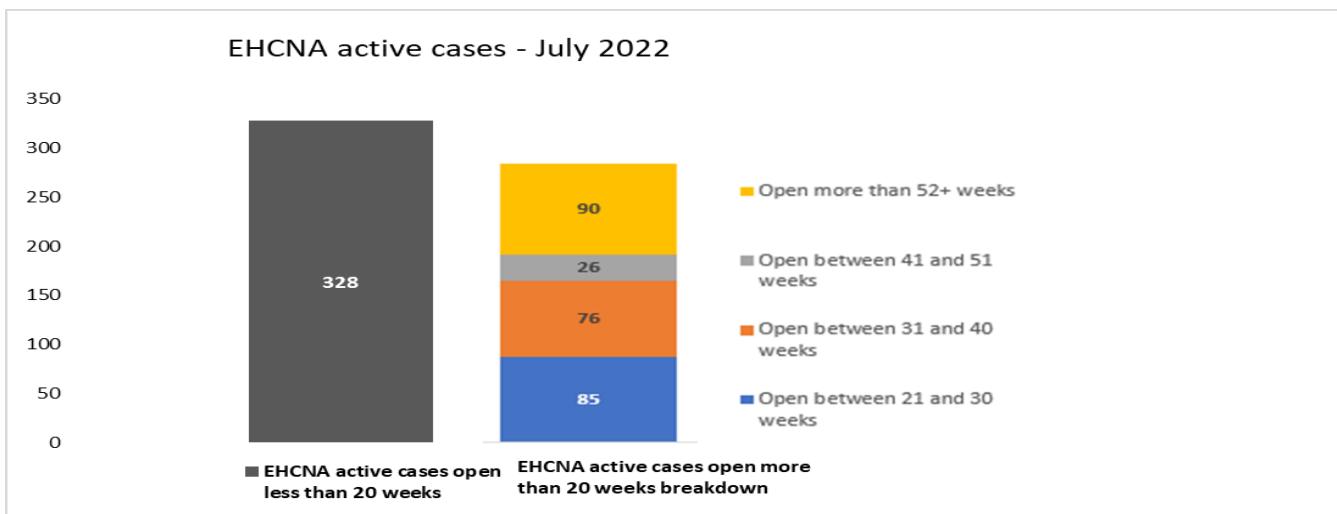
2.3.2 Although there has been an increase in requests, more plans will be completed this year than last year.

- A total of 423 EHC plans have been finalised in the first seven months of 2022
- This compares to 579 which were finalised in total during the whole of 2021.

### 3. Challenges

3.1 There continues to be a concerted effort to improve the timeliness and quality of contributions across health, social care and education to EHC Needs Assessments. However, with a finite resource, as demand continues to increase, the workloads of statutory teams are once again at full capacity. Local area education, health and care teams continue to be under significant pressure.

3.1.1 As a result, at the end of July there were 605 active EHC Needs Assessments in the system. 328 of these were within 20-week timescales, however 277 were outside of the 20-week timescale as detailed in the next chart.



3.2 The Statutory SEND Team has a dedicated Assessment Team to co-ordinate the EHC Needs Assessment process. The increase in requests for assessment means there are more active cases in the system at any one time, resulting in increased workloads for Statutory SEND team officers. Funding was agreed in 2022 for five additional staff who started in July 2022. These staff will go through a six to eight month period of learning and development before they become fully competent in their role. Retention within the Assessment Team has been high.

#### **4. Ongoing Mitigating Actions**

4.1 Processes are in place to monitor the active EHC Needs Assessments that are out of statutory timescales, and additional capacity has been created within the Assessment Team to address the demand issues. Weekly meetings continue to take place between the Statutory SEND service leads and key officers, integral to the process, for example from the Education Psychology (EP) Service and Children's Social Care. Once a month, Specialist Health Advisors for SEND also join this meeting. The purpose of the meeting is to

- Discuss priorities regarding allocation from week six, which includes for example, Children in Care; Key Stage Transfer; Children Missing Education as well as early identification of children and young people who may need specialist provision
- Review timeliness of professional contributions across the city
- Review data regarding EHCNA requests and the issuing of Final EHCPs for the month
- Plan allocations to EPs and Assessment Coordinators and agree the balance of work between overdue cases and those than can be issued within 20-week timescale.

4.2 A communication strategy was implemented in 2022 ensuring that all parent carers who have not yet been allocated a case officer, or are awaiting an EP assessment, are contacted and kept informed of next steps.

4.3 At the end of July, we have four children of statutory school age who are classed as Children Missing Education, currently proceeding through the EHCNA process. As stated, (in point 4.1) this group are now identified by week six of the 20-week process and prioritised and monitored throughout their journey.

#### **5. Strategy over the next six months**

5.1 There is a constant and growing tension between finalising new EHCNA requests within 20 weeks and finalising those already outside 20 weeks. Managers are acutely aware that each number is a child or young person in need of an assessment, and they keep this constantly under review and meet regularly with DfE advisers to talk through the council's data and approach.

5.2 With an establishment of 20 Assessment Coordinators from September, the team will be split in half so that officers will be allocated either 'within 20-week' or 'overdue' cases, in an endeavour to achieve further efficiencies.

5.3 To lessen the impact of long waiting times on families, managers have reviewed the balance of work on new and overdue cases to ensure that from 31 July 2022 no further cases will exceed 52

weeks. The 90 cases which have already exceeded this timescale will all be allocated a SEND Assessment Coordinator, with the aim of issuing a draft plan by 30 September 2022 at the latest.

Currently, these children will be accessing ordinarily available provision and in-school support through the graduated response. Out of the 90 cases, over half are in receipt of additional funding to support non-statutory support plans.

5.4 It should be noted, that for as long as there are overdue cases in the system, the 20-week targets are going to be under pressure. As a result of the urgent action being taken to ensure the overall wait time reduces, and no family waits longer than 52 weeks, our modelling shows that our local, year-end target of 50% timeliness within 20 weeks is aspirational rather than realistic. The reality is likely to be closer to 40%.

5.5 To improve performance of quality and quantity of plans, the electronic EHCP template will be rolled out across the local area.

## **6. The Green Paper – SEND Review: Right Support, Right Place, Right Time**

6.1 The Government's SEND and alternative provision green paper, published 29 March, sets out its vision for a single, national SEND and alternative provision (AP) system that will introduce new standards in the quality of support given to children across education, health and care.

<https://www.gov.uk/government/consultations/send-review-right-support-right-place-right-time>

6.2 The green paper is the result of the SEND Review, commissioned to improve an ‘inconsistent, process-heavy and increasingly adversarial system that too often leaves parents facing difficulties and delays accessing the right support for their child’.

6.3 The plans to reform the system were open for public consultation, from 29 March to 22 July 2022. The council has submitted its response to the Green Paper consultation which closed 22 July 2022.

## **3. Policy**

N/A

## **4. Consultation**

N/A

## **5. Public Sector Equality Duties**

N/A – not for decision

## **Financial / Legal implications**

N/A

## **Appendices:**

None

## **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**Background Papers:** None