

# People Scrutiny Commission

28 November 2022



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

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

**Ward:** All

**Officer Presenting Report:** Richard Hanks, Interim Director Education & Skills

## Recommendations:

- Scrutiny to note the content of this report
- Request a working group set up to agree: KPI for EHC needs assessments for 2023 with key officers and a scrutiny lead

## The significant issues in the report are:

- The number of EHC Needs Assessments (EHCNA) finalised has increased in 2022 on 2021.
- Performance continues to be affected by the rise in new EHCNA requests: a 17% increase from 2020 to 2021
- Overall, Education Health and Care (EHC) plan timeliness target of 50% has not been achieved
- All EHCNA request which were over 52 weeks have now been finalised
- Annual Reviews: 85% of Annual Reviews have taken place over the last 12 months & 75% have been processed so far this year.

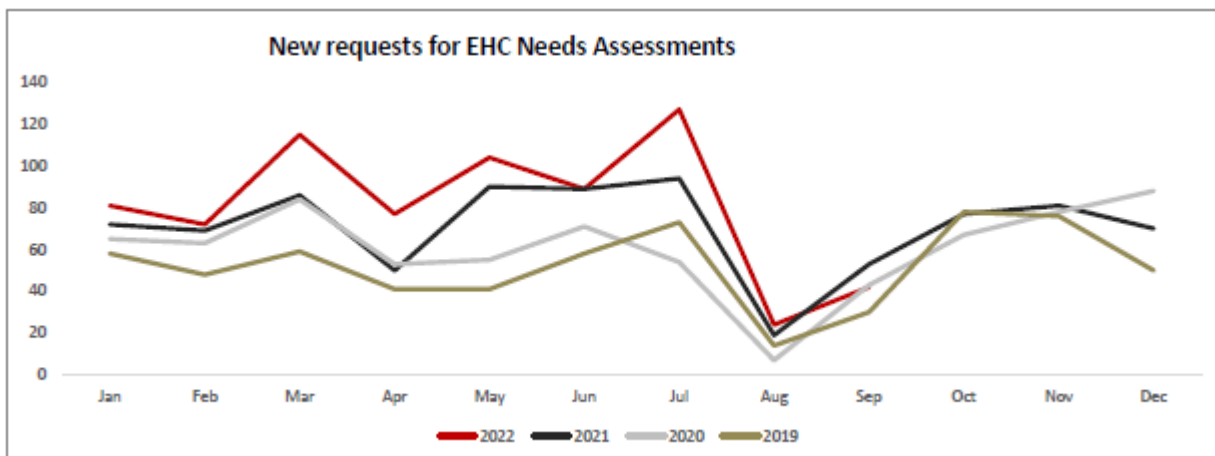
## 1. Summary

Work to improve the timeliness of the Education Health and Care Needs Assessment (EHCNA) process began in 2019 and was formally incorporated in the council's Written Statement of Action published in 2020, following an Ofsted inspection of the effectiveness of the Local Area's SEND arrangements.

## 2. Performance

### 2.1 EHC Needs Assessment

- Requests in the first 9 months of 2022 are up by 17.5%, to 731 on the same period in 2021, which stood at 622.
- In 2020, **728** EHCNA requests were received in total.
- In 2021, **850** EHCNA requests were received, a 17% increase to 2020.

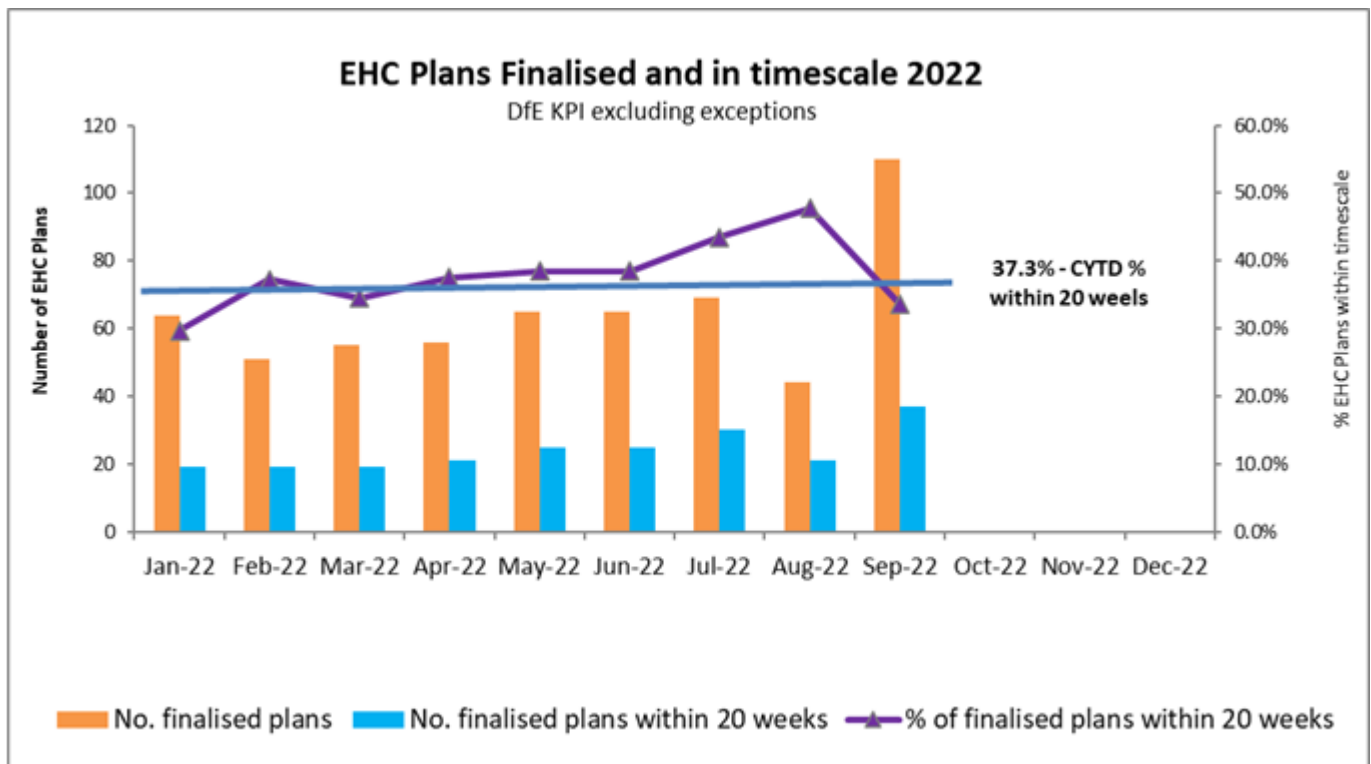


### 2.2 Finalising Plans

- Between 1<sup>st</sup> January 2022 – 30<sup>th</sup> September 2022, 594 plans were finalised which is a 44% increase in the number of EHC Plans issued in the first 9 months when compared to 2021 where 412 were finalised.
- 113 plans were finalised in September, 37 were within the statutory 20 weeks' time scale, 76 were from the exceeding 20 weeks' timescale.
- September saw a high number of plans finalised this year due to an increase in staff in both the Statutory SEND Team and EP service. The SEND team in September had 18 staff (increase of 5 permanent staff) following the recruitment drive in May and they have now taken up their roles and started their training and development. The Education Psychology Service now have 24 Full time equivalent main grade educational psychologists. This has increased from 18 FTE main grade EPs in April 2022. This enabled both services to work with an increased number of families, particularly those waiting for longer periods of time for their needs assessment.
- Through partnership working and the new allocation system, the EP service was able to see more CYP before they broke up for the summer holiday. The Statutory SEND Team ensured consultation paperwork was available as soon as schools re-opened after the holiday break and so plans could be finalised promptly thereafter.

## 2.3 Timeliness

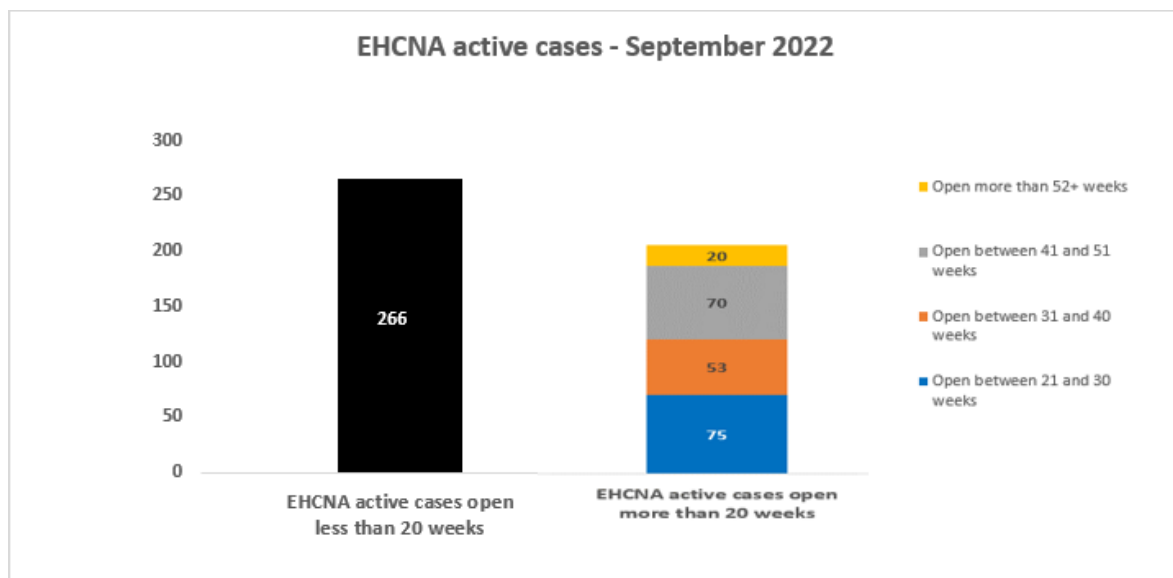
- Since January 2022 to end of September 2022, 216 plans have been issued within the 20-week timescale, which is 39.5% for the quarter and 37.3% cumulative for the year so far.
- Due to the number of legacy cases being finalised and understanding the high volume of EHCNA still being received by the Local Authority, the performance target of 50% will not be achieved at year end.



- The increase in requests for assessment, means there are more on-going cases in the system at any one time, resulting in increased workloads for Statutory SEND team officers. By on-going cases we mean all requests in the system. Processes are in place to monitor the on-going children’s assessments that are out of statutory timescales so no cases exceed the 52-week threshold in future.
- Weekly meetings continue to take place between the Statutory SEND service leads and key officers from Education Psychology Service and Children’s Social Care. Once a month Specialist Health Advisors for SEND join this meeting. The purpose of the meeting is to discuss:
  - Data regarding EHCNA requests and issuing of Final EHCPs for the month
  - Planning the allocation of caseworkers from the EP and Assessment Teams to ensure focus is directed to the right children and young people.
  - Discuss priorities regarding allocation – for example Children in Care, Key Stage Transfer.
- The meeting enables SEND managers to plan allocations to EPs and Assessment Coordinators and agree the balance of overdue cases and those than can be issued within 20-week timescale. Progress with this stance is demonstrated through the September output.

## 2.4 Legacy Cases

- As at the end of September 2022 there were 484 active EHC Needs Assessments in the system, compared to 605 at the end of July 2022. 266 of these were within 20 weeks timescales and 218 exceeded the 20-week timescale. There is tension between finalising new EHCNA requests within 20 weeks and finalising those already outside 20 weeks. Managers keep this under review and meet regularly with DfE advisers to discuss the data and the approach. This was discussed with HMI during the Ofsted re-inspection.
- 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.
- All 20 cases which exceed the 52-week timescale will have finalised EHC plans by the 30<sup>th</sup> November.



## 2.5 Way Forward for EHCNA for 2023

- The LA will review the EHCNA Key Performance Indicators (KPI) for 2023 so they more effectively track and monitor improvement. Officers would like to work with scrutiny members to develop and agree these.

## 2.6 Annual Reviews

- The Statutory SEND Team has 14 full time equivalent Senior Inclusion Officers (SIO); they are the key link for children and young people with EHC plans and their families, and provide support, guidance and ensure statutory duties are met by schools with regards to the EHC plan on behalf of the LA. These officers attend some annual reviews. This is usually when families and or schools request support, emergency annual review or at Key Stage Transfer. The LA does not have capacity to attend all Annual Reviews.
- Bristol currently has 3694 EHC plans which must be reviewed at least every 12 months and for those under 5 years of age must be reviewed every 6 months.
- Over the last two years there has been an increase in emergency annual reviews and the team have responded to the increased demand. Virtual technology has enabled SEND Senior Inclusion Officers to attend more annual reviews than previously possible.
- Each SEND Officer currently has on average 260 children or young people, with varying levels of complex disability and vulnerability assigned to them each. This is a high number. The LA aspires to

ensure families have the timely support they need within current staffing levels and to ensure annual review paperwork after the meeting meets statutory timescales.

- The Annual Review Pod has been created with effect from September 2022. The Pod SEND Officers will be trained so that although they will be assigned the processing of the annual review paperwork and, they will ensure quality and timeliness for the LA. This will allow senior staff to continue their skilled work in supporting families, attending annual reviews and more complex EHC plans.
- Over the last 18 months we have been developing our electronic casework system to ensure accurate annual review reporting. Annual review reporting is complex with multiple facets This is a national issue, and the Department for Education has historically not sought data in this area for this reason.
- From January 2023 the DfE will start to ask for basic annual review information as part of the census (SEN2) return.
- IT developments and work with schools will enable us to deliver on our statutory duties. With annual reviews, partnership working is vital (with schools and all professionals) to improve timeliness and quality of meetings and EHC plans as a result.
- As of 30<sup>st</sup> September 2022, Bristol had 3007 EHC plans which had been active for more than 12 months and therefore needed to be reviewed.
- 2551 EHC plans out of 3007 CYP had an annual review within the previous 12 months, which is 85%.
- Of these, 2268 have had an annual review decision letter (notification of the decision as to whether to retain, cease or amend the plan following the annual review meeting) sent within the previous 12 months, which is 75%.

### **3. Policy**

**N/A**