



SCRUTINY COMMITTEE - CHILDREN AND FAMILIES

Wednesday, 26 June 2024

10.00 am

**John Meikle Room, The Deane House, Belvedere
Road, Taunton TA1 1HE**

SUPPLEMENT 2 TO THE AGENDA

To: The members of the Scrutiny Committee - Children and Families

We are now able to enclose the following information which was unavailable when the agenda was published:

Agenda Item 7 **Education, Health & Care Plan and annual reviews**

PowerPoint presentation (pages 3 – 12)

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EHC Plans Scrutiny Update

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26th June 2024

Amelia Walker

Claire Merchant-Jones



Somerset
Council

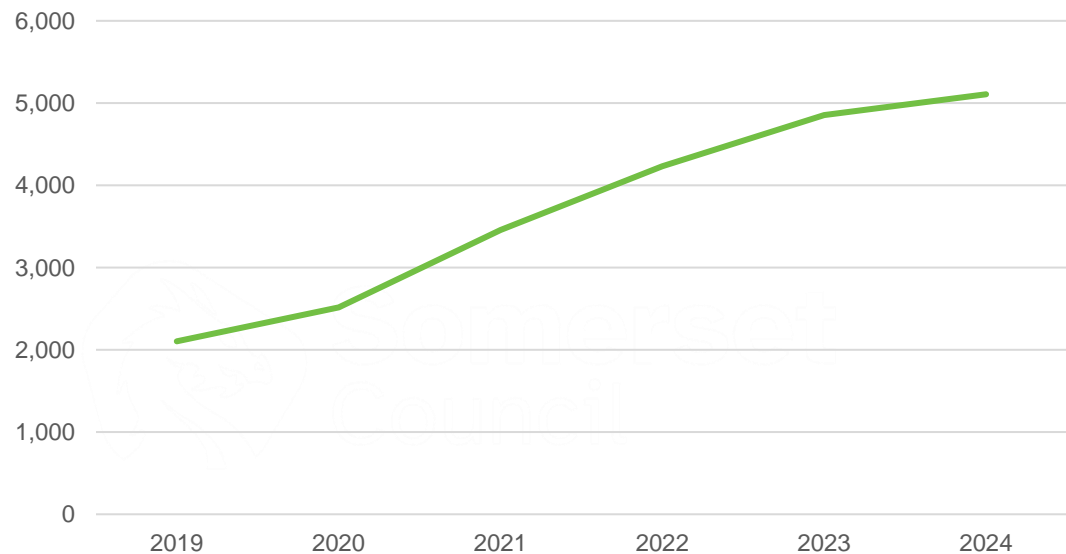
Agenda Item 7

EHC Assessments and Plans

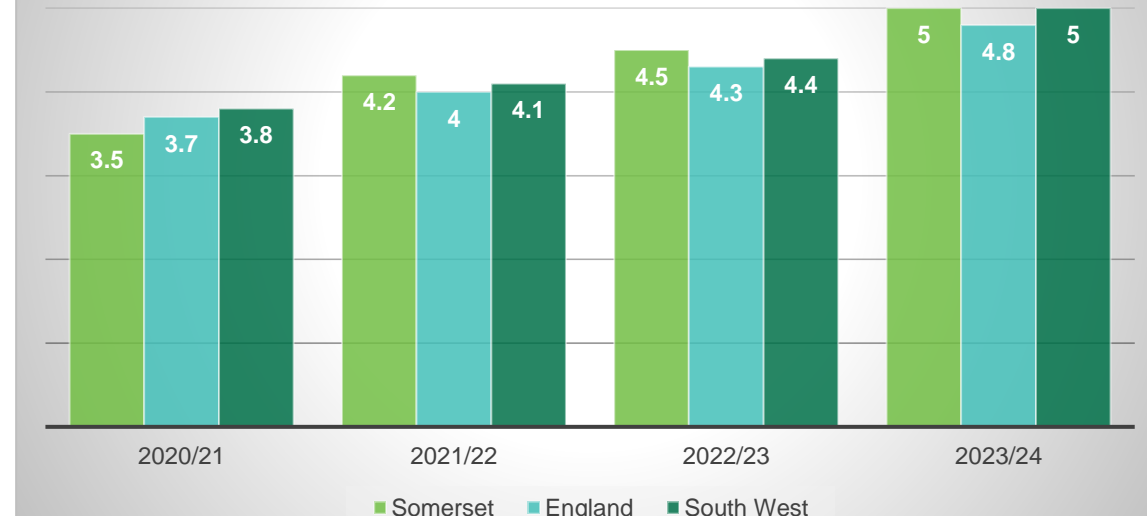
- On November 1st, 2023, the number of EHC plans maintained for children and young people living in Somerset were **5,545** and as of 30th May 2024 there were **5,395**. This represents a decrease of **2.7%** of EHC plans maintained by Somerset Council following a focused effort on ceasing EHC plans undertaken in January.
- The % of school age children with EHC plans has continued to grow - 5% of school age children have an EHC plan.

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Numbers of EHC plans in Somerset 2019-2024



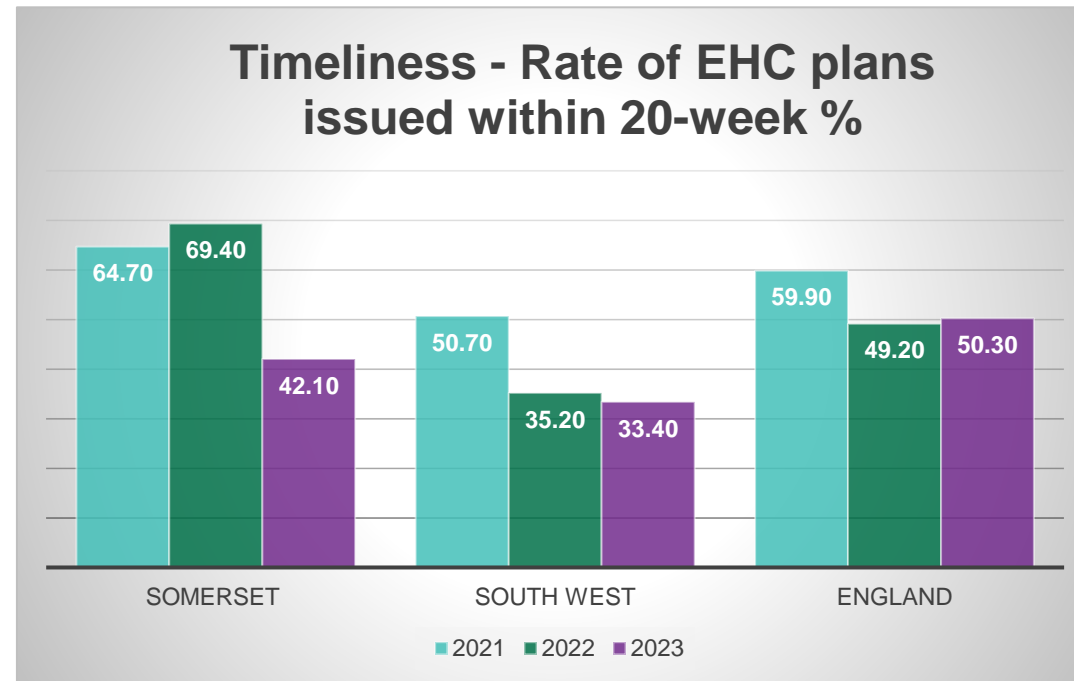
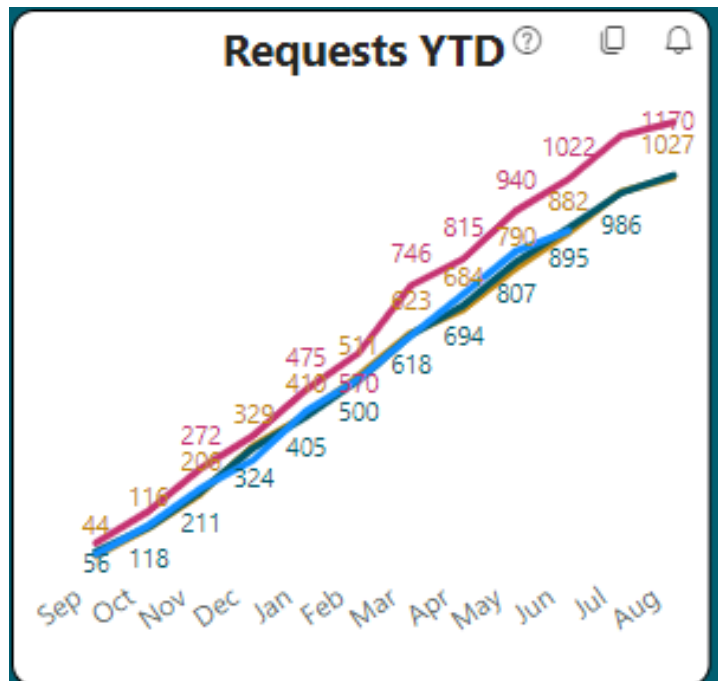
% of School Age Pupils with EHC plans



EHC Assessments and Plans

As of the end of May 2023, there had been **940** requests for assessments over the academic year which was a **16% increase** on the previous year. The figures for 2023/24 are **835** which is an **11% decrease** on previous years.

The rate of EHC plans issued within 20-weeks has reduced over the past year, this is owing to recruitment and retention issues and a high number of children stuck in the assessment process who require support from wider teams to secure an appropriate school place.



EHC Assessment and Plans

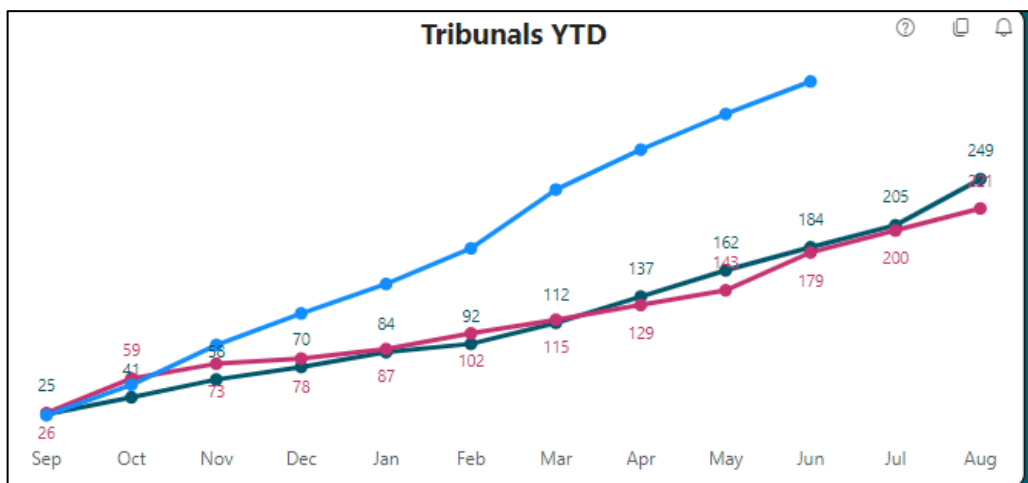
Tribunals

There has been a marked increase in tribunal appeals during academic year 23/24. These relate to refusing to undertake EHC assessments (156 this year so far) and placement decisions taken following assessment or review (158 in total this year).

Through the transformation work, we will make sure that assessments and support are undertaken at the right time which support the identification of the support required including where an EHC assessment is needed.

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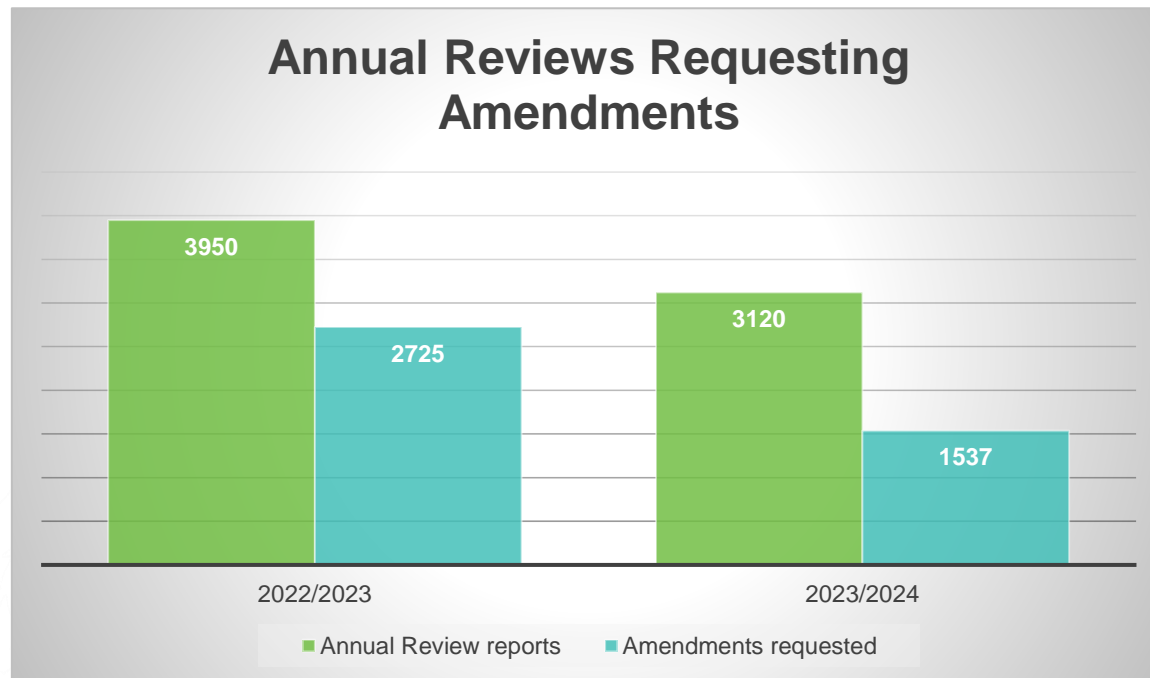
We are also identifying children who are stuck in the system and making sure we are looking for a placement able to meet needs which is supporting more effective and timely decision making.



Type	2021/2022	2022/2023	2023/2024
Against Ceasing EHCP	3		
B&F - Need & Provision	18	14	8
B,F,I - Need, Prov & Placement	60	38	62
F&I - Provision and Placement	3	7	5
I - Placement	77	72	95
Refusal of Reassessment		1	1
Refusal to Amend EHCP	5	2	5
Refusal to Assess	61	72	162
Refusal to Issue an EHCP	22	15	4
Total	249	221	342

EHC Assessment and Plans

- Over 2022/2023 there were **3950** Annual Review reports submitted and of those, **2725** were requesting that the plan be amended (68%) The current data for 2023/2024 indicates that **3120** reports have been submitted and of those **1537** have requested that the plan be amended (49%).



LGO- Annual Reviews

In October 2023, the Local Government and Social Care Ombudsman (LGSCO) upheld their complaint in relation to an investigation regarding systemic faults in the Council's administration of annual reviews for pupils with Education, Health and Care plans.

The investigation recognised the exceptional pressure experienced by the service and the difficulty in keeping up with the government expectations but found the Council at fault owing to repeated delays in relation to completing the Annual Review process within the statutory timescales and have issued a set of actions to the Council.

The following activities were endorsed at previous Scrutiny committee in December 2023 and this is a follow-up to these.

Activities underway to support improvements:

- Annual Planning Meetings offered to every school across Somerset to identify children requiring support from specialist LA teams.
- Clarify expectations with schools to ensure that appropriate advice and support in advance of meeting.
- Additional staff in place to process Annual Review reports in a timely way.

LGSCO – Annual Reviews update

Annual Planning Meetings offered to every school across Somerset to identify children requiring support from specialist LA teams

- Annual planning meetings have taken place across Somerset Schools at the beginning of the academic year 23/24.
- Over 900 children have had involvements from Access to Inclusion or Educational Psychology team because of these conversations.

Next steps:

Redesign of Team Around the School

- Termly / annual
- Thematic issues
- Cohort planning, especially for those in transition
- Identification of children requiring a TAC / Enhanced TAC

LGSCO – Annual Reviews update

Clarify expectations with schools to ensure that appropriate advice and support in advance of meeting.

- Training and guidance has been undertaken with schools in relation to expectations prior to requesting amendments to EHC plans
- There has been a decrease in the number of amendments requested via Annual Review report **68%** in 2022/23 to **49%** across 2023/24 to date.

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Next Steps:

- Need to reduce the level of conflict in the system:
 - Avoid the need for annual reviews to be used to challenge issues by dealing with them elsewhere.
 - Effective use of new Team Around School and Team Around Child processes and use of Graduated Response for issues identified for children with EHCP's

LGSCO – Annual Reviews update

Additional staff in place to process Annual Review reports in a timely way

- The processing of Annual Reviews is more effective but the time that is taken to make any changes within the current digital arrangements means that this is the main priority.

Page 11 Capacity in the Statutory SEND team remains a challenge and there is a high turnover of staff owing to the demands of the role and the increased demands as capacity decreases.

Next Steps:

- We need to find a way to enable plans to be updated but this cannot happen in the current system
- System barriers requiring corporate support to change (Capita, Portal)
- Redesigning internal process to digitise and use of technology



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