

Provision of EHCP Support – Draft Terms of Reference

Date: 5 July 2023

Report of: Head of Democratic Services

Report to: Scrutiny Board (Children and Families)

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

Brief summary

Children and Families Scrutiny Board has identified Education Health and Care needs Plans (EHCPs) as an item for detailed scrutiny in the 2023/24 municipal year.

The Board has expressed an interest in taking a whole system look at the provision of EHCP support in Leeds with a view to understanding and seeking to improve the service residents receive when they believe that their child has Special Educational Needs (SEN) that school SEN support cannot meet.

The work of the Board will be dealt with through an Inquiry with findings and recommendations to be produced in the current municipal year.

This report is the first to be considered as part of this work and presents a draft terms of reference document at Appendix 1 to initiate discussion on this subject and commence the work in advance of an update report from the Children and Families directorate which is scheduled for September, the September meeting will also agree the final terms of reference for the work.

Recommendations

Children and Families Scrutiny Board is asked to:

- a) Comment and shape the draft Terms of Reference for the scrutiny inquiry into the provision of EHCP support in Leeds
- b) Note that a revised draft of the Terms of Reference, taking account of discussion and comment at this meeting, will come back to the Board for approval in September 2023 to be supported by an update report from the Children and Families directorate.

What is this report about?

- 1 The 7 June meeting of the Board identified that EHCPs was an area of interest and should be the focus of significant work in 2023/24.
- 2 The key drivers for this being year-on-year increases in the EHCP cohort, the increased complexity of the needs that are identified, the impact of the COVID-19 pandemic on children and young people in terms of increased anxiety and potential need for additional support, resources within the directorate to deal with increased demand and the impact of all of these factors on children and families in Leeds.
- 3 The SEND Review being carried out by Government is also an important element in this work along with the recently published SEND Improvement Plan and the Change Programme that will pilot some of the proposals in the Improvement Plan before legislating.
- 4 In September a detailed update report from the Children and Families directorate will feature at the board meeting and will be used to support the finalising of the Terms of Reference that will shape the inquiry throughout 2023/24. This item provides early sight of the draft terms of reference to facilitate feedback and to speedily commence the work.
- 5 The September report will provide an updated position on recent work to increase staffing and will provide an opportunity for the Board to understand the changes that the service has undertaken following the appointment of additional FTE staff, other support staff and the redesign of the SENSAP Team in 2022.

What impact will this proposal have?

- 6 The Council's Vision for Scrutiny contained in Article 6 of the Constitution sets out the nationally agreed four principles of good scrutiny. Within these are a commitment to promote scrutiny as a means to ensure the voice and concerns of the public can be heard and to improve public services by ensuring that reviews of policy and service performance are focused.
- 7 It is hoped that an inquiry into the provision of EHCP support will lead to recommendations that improve services in the city.

How does this proposal impact the three pillars of the Best City Ambition?

Health and Wellbeing

Inclusive Growth

Zero Carbon

- 8 The terms of reference of Scrutiny Boards in Leeds promote a strategic and outward looking Scrutiny function that focuses on the priorities of the Best City Ambition. This work item is aimed at having a particular impact against health and well-being and inclusive growth by seeking to review and improve services for children and families who access EHCP support.

What consultation and engagement has taken place?

Wards affected:

Have ward members been consulted?

Yes

No

- 9 At the 7th June Children and Families Scrutiny Board discussion with the Interim Director and Executive Board members suggested that EHCPs would be a positive area of focus for the Board in 2023/24.
- 10 In addition, the Board supported the inclusion of the EHCP work item in its work programme for the year.

What are the resource implications?

- 11 The Vision for Scrutiny, agreed by full Council, recognises that like all other Council services, resources to support the Scrutiny function are under considerable pressure and that requests from Scrutiny Boards cannot always be met. Consequently, when establishing their work programmes Scrutiny Boards should:
- a) Seek the advice of the Scrutiny officer, the relevant Director and Executive Member about available resources;
 - b) Avoid duplication by having a full appreciation of any existing forums already having oversight of, or monitoring a particular issue;
 - c) Ensure any Scrutiny undertaken has clarity and focus of purpose and will add value and can be delivered within an agreed time frame.
- 12 By bringing this item forward early in the municipal year for comment and adjustment it is hoped that sufficient time will be available to cover both this item and the wider work programme of the Board.

What are the key risks and how are they being managed?

- 13 There are no specific risk implications associated with this report.

What are the legal implications?

- 14 There are no specific legal implications associated with this report.

Options, timescales and measuring success

What other options were considered?

- 15 In weighing up the timing of this item consideration was given to initiating the work in September. However, by bringing a draft terms of reference document as soon as possible for Board members to consider, early input and feedback will provide an opportunity for the board to shape the work effectively and ensure that there is sufficient time to complete the inquiry in the current municipal year.

How will success be measured?

- 16 The completion of an inquiry report in the 2023/24 municipal year.

What is the timetable and who will be responsible for implementation?

- 17 The timetable will be dictated by the Board through regular consideration of the work programme at each public meeting that is held. The Board, in consultation with the Principal Scrutiny Advisor, will be responsible for production of the inquiry report.

Appendices

- Appendix 1 – Draft Terms of Reference – Provision of EHCP Support

Background papers

- None