

Provision of EHCP Support – 22 September Working Group Update and Notes

Date: 4 October 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.

Having agreed Terms of Reference for the inquiry at the 6 September Board meeting a remote Working group has subsequently taken place on 22 September to consider further details from the children and families directorate in terms of the latest position on EHCP performance and other related matters set out in the Terms of Reference (Appendix 2). In addition, the working group also featured input from PWC as they conduct their independent review of EHCP processes in Leeds.

Attached at Appendix 1 are notes from the Working Group for the Board to consider and comment on.

Recommendations

Children and Families Scrutiny Board is asked to:

- a) Note the summary note provided of the Working Group into the Provision of EHCP support in Leeds which was held on 22 September 2023.
- b) Consider any future scrutiny activity or recommendations that might arise from this initial inquiry work.

What is this report about?

- 1 The 7 June meeting of the Board identified that EHCPs were an area of interest and should be the focus of significant work in 2023/24.
- 2 The key drivers for the work on EHCP support are 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, potential legislative changes and the impact of all of these factors on children and families in Leeds.
- 3 The SEND Review being carried out by Government is 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 The Working Group also considered recently commissioned work being undertaken by PwC to review EHCP assessment and annual review processes to identify key opportunities for change and improvement in Leeds.
- 5 This report provides an update to the full Board meeting on the Working Group meeting which initiated the work on this inquiry, in line with scrutiny board procedure rules which state that '*A summary of issues considered by a Working group must be considered by a Scrutiny Board prior to recommendations being made.*' In this case this is being done at the earliest opportunity.

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 Director and Executive Board members suggested that EHCPs would be a positive area of focus for the Board in 2023/24 and the Board supported the inclusion of the EHCP work item in its work programme for the year.
- 10 Appendix 1, the summary note from the working group, has also been subject to input from the Children and Families directorate.

11 The draft terms of reference and final terms of reference for this inquiry have also been before the Board for comment and agreement in July and September.

What are the resource implications?

12 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.

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 later in the municipal year. However, scheduling this work early in the municipal year should enable the inquiry and any recommendations to be finalised in 2023/24. Furthermore, the work can now be carried out in parallel with the PWC independent review of services in Leeds.

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 and during the inquiry work itself. The Board, in consultation with the Principal Scrutiny Advisor, will be responsible for production of the inquiry report.

Appendices

- Appendix 1 –Summary Note from the Scrutiny Working Group held on 22 September 2023.
- Appendix 2 – Provision of EHCP Support Agreed Terms of Reference

Background papers

- None