

Capacity for Educational Psychology / SENSAP to meet statutory responsibilities - Additional Provision

Date: June 7th 2024

Report of: Chief Officer Learning Inclusion

Report to: Director of Children & Families

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

Brief summary

There has been an unprecedented rise in EHC needs assessment requests in 2023/24, following a significant backlog in processing requests in 2022.

The current workforce capacity is not sufficient to meet this statutory duty.

In order to improve the timeliness of processing requests to meet statutory obligations there is a need to bring in additional Educational Psychology and plan writing capacity.

Recommendations

- a) The Director of Children & Families is recommended to approve entering into an agreement with Liquid Personnel to provide additional Educational Psychologists and Plan Writers to the value of £850k.

What is this report about?

- 1 The Council currently has a number of EHCPs which are outside of statutory timescales which reflects a combination of increasing demand and complexity alongside a recruitment and retention issue particularly acute in relation to EPs. The Council's already stretched internal EP resource is leading to significant delays (there are currently 150+ cases over 52 weeks) in the needs of some of Leeds most vulnerable young people being assessed and appropriate support being provided for them. Accordingly, additional external EP resource will be secured to provide a dedicated resource to reduce the assessment delays. Assessment modelling will be undertaken so that an appropriate mix of 'new and old' assessments can be undertaken which will be based upon utilising external additional capacity on outstanding assessments and internal resource on new assessments, this will mean that the Council is focussing both on longstanding assessments whilst also ensuring that delays in new assessments are kept to a

minimum. This additional resource will allow for the Council to significantly improve its performance and meet its statutory obligations on timescales for assessment.

What impact will this proposal have?

- 2 This agreement allows the council to respond to its statutory obligations and duties, reducing the backlog of cases awaiting Educational Psychology advice and ensure the timely production of Education, Health and Care plans thereby mitigating risks of noncompliance and potential financial and reputational redress.

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

Health and Wellbeing Inclusive Growth Zero Carbon

- 3 This supports the Council priority of a Child Friendly City. It supports two of the Council's 3 key pillars: Inclusive Growth and Health and Wellbeing, as having this post available will enable more positive outcomes to be achieved by children and their families.

What consultation and engagement has taken place?

Wards affected:

Have ward members been consulted? Yes No

- 4 As per the report to June Executive Board 2024.

What are the resource implications?

- 5 The cost of reducing the number of outstanding EHCP assessments is estimated at a maximum of £850,000, this will be forward funded in part by the Council's Strategic Contingency reserve, which will be reimbursed over time. Funding will be released in tranches, based on evidence that targets are being achieved. There will also be an expected avoidance of costs associated with EHCPs not being delivered in a timely manner and the avoidance of costs associated with complaints and remediation arising from not meeting required timescales.

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

- 6 Without the support to meet statutory demand as quickly and efficiently as possible, the Council will continue to accrue complaints and risk further redress such as Local Government Ombudsman and Judicial Review. The Local Ombudsman's office advised a financial remedy of £100 per month to all EHCPs not in draft from the 16-week deadline continuing on for EHCPs not finalised. This equates to £40 000 per month of financial remedy for current outstanding EHC plans.
- 7 Continued high caseloads risks losing further staff from the EP and SENSAP teams. The reported high level of need within schools cannot be met by the EP team.
- 8 The long-term system planning across the SEND system will respond to the PWC work as per the report to June Executive Board 2024.

What are the legal implications?

9 None identified

Options, timescales and measuring success

What other options were considered?

- 10 Continue to work through the backlog internally – The decision has been to develop two pathways for the backlog and new assessments. The internal resources cannot meet the backlog demand. The backlog would not be addressed if we are to meet KPIS for new assessments.
- 11 Increase utilisation of associates - The EP team already utilises local associates to support delivery of new EHC needs assessments. This takes additional administration and quality assurance time from leadership. This solution has helped manage the flow of requests for assessments during period of significant demand. The numbers of associates available in the region are limited and used by several local authorities. The current associates available are insufficient to complete the backlog of work. The backlog would not be addressed if we are to meet KPIS for new assessments.

How will success be measured?

- 12 This will enable to authority to clear the existing backlog of 600 cases awaiting Educational Psychology advice and any resultant EHC plans.

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

- 13 This is a proposed 6 month project to be delivered by Liquid Personnel

Appendices

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Background papers

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