

**UPDATE ON DEVON’S SPECIAL EDUCATIONAL NEEDS & DISABILITIES
 (SEND) TRANSFORMATION PROGRAMME**

Report of the Director of Children & Young People’s Futures

Recommendations:

- a) Note the update on performance related to SEN Statutory Processes
- b) Note the update on key strands of Devon’s SEND Transformation Programme.

1. Background

- 1.1. In September 2023, the Council and its partners agreed a new approach to delivering improvements through the SEND Transformation Programme which brings together post Ofsted/CQC improvement work and Dedicated Schools Grant (DSG) deficit management actions (often referred to as Safety Valve).
- 1.2. The SEND Transformation Programme consists of seven strands; SEND Strategy; Inclusion and Early Help; Preparation for Adulthood; SEN Statutory Processes; Sufficiency; Financial Management & Placement Value and Multi-agency pathways
- 1.3. The is report provides an update on performance of SEN statutory processes, as well as key updates on sufficiency and placement value.

2. SEN Statutory Process Performance

Timeliness of Education Health & Care Needs Assessments (EHCNA)

	Sep 2023	Oct 2023	Nov 2023	Dec 2023	Jan 2024	Feb 2024
Total number of EHCPs						8984
EHCNA requests by month	157	181	219	178	223	138
Total number of EHC assessments in progress						1270
Number of 20 weeks assessments completed	78	93	102	51	65	103
% 20wk assessments completed on time	1%	6%	5%	8%	6%	7%
% 20wk assessments completed on time cumulative	8%	8%	8%	8%	6%	7%
20wk assessments overdue 20 Weeks	562	560	544	565	538	510
20wk assessments overdue 30 Weeks	308	333	296	326	387	370
20wk assessments overdue 52 Weeks	0	0	0	0	0	1

- 1.4. Requests for EHCNAs in Devon continue to grow year on year, much like the national picture. However, Devon is a significant outlier in terms of the

requests received as a percentage of the overall 0-24 population, when compared to regional, national and statistical neighbours.

- 1.5. Timeliness of issuing Education Health & Care Plans within the statutory 20-week timescales remains a challenge in Devon, given the high request rate (6th highest nationally). The current rate nationally has fallen year on year, with the current England average at around 50%. However, Devon is significantly out of line with the national picture, with the latest unpublished data showing a completion rate of 7%.

Overdue advice requests

	At 1st March 2024
Total open EP Advice Requests	506
EP Advice Requests beyond 6wk deadline for submission	244
EHCP Assessment beyond 20 weeks and EP Advice Requests Outstanding	12
Total open Health Advice Requests	259
Health Advice Requests which are beyond 6wk deadline for submission	126
EHCP Assessment beyond 20wks and Health Advice Requests Outstanding	54
Total open Social Care Advice Requests	163
Social Care Advice Requests beyond 6wk deadline for submission	38
EHCP Assessment beyond 20wks and Social Care Advice Requests Outstanding	12

6 and 16 week decisions

	% of 6wk Decisions Completed in Time	% Of 6wk Agreed	% Of 6wk Refused	% Of 6 Weeks Overturned*	% of 16wk Decisions Completed in Time	% Of 16wk Agreed	% Of 16wk Refused	% Of 16 Weeks Overturned*
February 2024	99%	73%	28%	0%	3%	82%	18%	0%
January 2024	93%	78%	22%	1%	6%	89%	11%	0%
December 2023	91%	84%	16%	1%	4%	76%	24%	0%
November 2023	94%	70%	30%	2%	6%	72%	28%	1%
October 2023	97%	40%	60%	3%	1%	79%	21%	1%
September 2023	93%	61%	39%	3%	2%	67%	33%	6%
August 2023	98%	61%	39%	10%	0%	78%	22%	5%
July 2023	92%	66%	34%	1%	5%	79%	21%	2%
June 2023	80%	66%	34%	3%	1%	80%	20%	1%
May 2023	82%	63%	37%	5%	5%	80%	20%	4%
April 2023	69%	69%	31%	4%	9%	83%	17%	3%
March 2023	66%	67%	33%	5%	15%	93%	7%	3%
February 2023	73%	67%	33%	5%	26%	90%	10%	2%
January 2023	52%	72%	28%	4%	19%	92%	8%	6%
2023 Total	81%	67%	33%	4%	8%	81%	19%	3%

- 1.1. From the date that a request for an EHCNA is submitted the local area has six weeks to decide whether or not to assess. Devon's timeliness in making 6-week decisions has steadily improved since January 2023. However, the timeliness of 16 week decisions, on whether to issue an EHCP, drops significantly. The current challenges around volume of requests and workforce recruitment and retention is impacting on the timeliness of the assessment part of the process.

EHCP Reviews

	At 1 st March 2024
Total Number of Annual Reviews overdue	1193
Number of EHCP reviews that will be become overdue in the next 7 days	105
Number of EHCP reviews published by the service in last 7 days	187
Number of annual reviews not started	534 Overdue
Number of annual reviews waiting for school action (Where annual review has started)	472 Overdue
	East
	111
	Mid
	131
	North
	54
	South
	146
Number of annual reviews waiting for LA Review Decision (Amend/Maintain/Cease)	96 Overdue
Number where Annual Review decision is to amend and plan is outstanding	714
Number of annual reviews going through amendment outside of annual review process	60

- 1.6. In Devon there are 1193 outstanding EHCPs review. At its peak, in June 2022, this rose to approximately 1800. In most local areas, schools or settings arrange and lead the review meetings with other relevant professionals invited to attend. Of the outstanding reviews, 40% are waiting for school action.
- 1.7. Actions being taken to address performance challenges
- 1.8. Transformation specialists working within the Transformation and Business Services directorate have been directed toward supporting improvements in SEN Statutory Service.
- 1.9. The first output from this work has been a map of the end-to-end process currently used for EHCP requests, assessment, reviews and tribunals. The map illustrates how we work as we endeavour to follow the statutory process and has provided valuable insights that will accelerate delivery and help identify new ways to operate more efficiently.

1.10. The first phase of improvement activity will focus on communication into the SEN Statutory Service and the first 6 weeks of the EHC assessment process.

2. Update on SEND Sufficiency

- 2.1. Sufficiency work has identified a significant shortage in resource base provision in Devon compared to national (0.05% of school population compared to 0.18%). The lack of provision is a key pressure and there is evidence that Authorities with a lower proportion of resource base provision commission more places from high cost independent specialist providers.
- 2.2. The Authority plans to establish an additional 200 resource base places over the next 5 years. There are 6-7 new resource bases due to be operational in September 2024. Proposals either agreed or being consulted on include Holsworthy College, Brixington Academy, Great Torrington Bluecoats and Westcroft Primary. There are several other proposals in early development including the expansion of existing bases.
- 2.3. In addition, the remaining special school building programme continues to focus on increasing places for children with Autistic Spectrum Disorder (ASD), Speech Language and Communication Needs (SLCN) and Social Emotional and Mental Health (SEMH) needs. This will be delivered through the SW Devon Free School (Ivybridge) and the Cranbrook Special School.
- 2.4. A capital funding bid to DfE, as part of Safety Valve proposals, supports plans to extend a further 300+ places in our Further Education colleges to meet demand, as well as providing an improved and enhanced SEND offer. The Authority is working in partnership with Exeter College and Petroc College and there are plans to provide new specialist post 16 provision in Exeter, Tiverton and Barnstaple. The post 16 proposals will ensure providers have suitable provision and accommodation to support learners whose needs cannot be currently met. This bid also includes the set up of a Tavistock satellite site to support a temporary SW Devon Free School to mitigate against delays in building.

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