

## **REPORT OF THE CABINET MEMBER FOR SPECIAL EDUCATIONAL NEEDS AND DISABILITIES**

### **1. Introduction**

The National Audit Report on Children and Young People With Special Education Needs was published on 24<sup>th</sup> October and highlighted the significant increases in the number of children identified as having SEN, particularly those with education, health and care plans (EHCPs) specifying a need for support in more expensive settings. The report also stated that the DfE estimates some 43% of local authorities will have deficits exceeding or close to their reserves in March 2026.

Government announced an additional £1 billion increase in SEND in the Autumn Budget and Alternative Provision funding. At the same time it committed to set out in the Spending review its vision to reform SEND provision. We welcome both of these statements.

As reported to Cabinet in November, Special Educational Needs and Disabilities (SEND) has continued to be an area of acute pressure for the Authority, in line with the national picture, over the past few months, with additional demand for plans and placements driving ongoing budget pressures, whilst officers and partners have sought to both meet need and delivery on our agreed improvement programme.

### **2. Decisions**

Cabinet on 14 August 2024 - Our Independent Education Provision and Procurement Strategy supports the future commissioning and strategy for Independent Special Schools and Alternative Education providers.

### **3. Meetings**

Strategic Partnership Board: 11 January, 8 February, 14 March, 17 April, 16 May, 13 June, 11 July, 19 September, 17 October, 21 November

SEND Transformation Programme Board: 3 January, 25 January, 29 February, 26 March, 2 May, 24 May, 27 June, 18 July, 4 September, 3 October, 7 November,

SEND monitoring visit: 1 February, 9 May, 21 November

#### 4. Service Actions, Issues and Forthcoming Activities

4.1 At the heart of current challenges remain ongoing pressures around the High Needs Block / Discretionary Schools Grant, with an increased spend in Month 6 of £14.6m against forecast. Additional funding demand is currently being driven by two distinct pressures; a national increase in requests for EHCP plans post pandemic, which has seen the rate of new case growth hit around 12% per annum across the Country; and specific action to clear the Devon backlog of delayed cases, which is driving additional cost into the system. In the later case, it is estimated that the 300-400 additional plans will have been introduced into the system by March as a result of management action (taking overall numbers to around 9700 plans by the end of the current year, at an average cost of circa £17,000 per head).

4.2 In response, the central focus of officer activity over recent weeks has continued to be upon implementing our shared SEND Transformation Programme. As agreed in September 2023, the programme continues to provide a single approach to improvement across our SEND services, as well as deliver upon the 10 year, £97m Safety Valve deal agreed with Government in 2023. Key areas of focus and success over the past month include:

- **Launch of the SEND Strategy** – Launched on the 4 November, Devon’s refreshed SEND Strategy provides a single shared framework for our approach to SEND provision, centered around four cornerstone principles for our future practice; providing a welcoming and caring approach; ensuring value and inclusion is at the heart of what we deliver; embed good communication and engagement within the design and delivery of our services; and working in partnership with others. Work is now ongoing around the Strategy’s delivery plan for 24/25 with partners, seeking to reinforce our collective approach to provision across the county.
- **Ordinarily Available Inclusive Provision Toolkit** – Published in September, a refreshed approach to teaching and learning which meets the needs of all students (including those with SEND) across Devon’s school settings, with over 250 teaching professionals supported through additional training in Phase 1.
- **Capital Investment in Further Education** – A £8.3m capital bid to introduce an additional 350 Further Education placements has been approved by DFE, with a comprehensive draft needs assessment now being developed for the additional capacity.

- **SEND Customer Service Provision** – Action has been taken over the past three months to shift first contact and engagement with families around SEND matters from the statutory team to the authority’s customer service centre (CSC). This has seen an improvement in both capacity and customer feedback, with parents particularly welcoming the extended opening hours it has enabled. 7000 calls have been handled in the last 6 months and call wait times have dropped by 21%. Customer satisfaction has risen from 2 out of 5 to 3 out of 5 based on feedback from callers responding to our survey, and the move to the CSC has freed up 80 work days for the SEND Statutory team.
- **Financial Management Action** – Following an audit of SEND financial and operational processes, accelerated work to move towards a single management and data approach for young people and their provision within DCC and across partners. This also has sought to address administrative issues around SEND identified earlier this year by the Devon Assurance Partnership.
- **Multi Agency Activity** – Working closely with health, education and wider stakeholders / delivery partners, additional resources have been allocated over recent weeks to addressing waiting lists for assessment of ASD and other neurodiverse conditions. This includes joint work around a shared Neurodiversity Hub for the County.

4.3 Despite steady progress on SEND practice and value for money improvements however, it has been recognised over recent weeks that additional focus and resource will be needed if current pressures are to be met. In response, work is currently on ongoing on a reconfiguration of SEND and educational staffing across the authority to better meet demand, alongside the provision of additional leadership capacity to reinforce momentum.

4.4 The DSG was forecast as an overspend of £45.8 million at Month 6. This represents an increase forecast of £14.6 million against the position included within the Safety Valve agreement with the DfE. The agreement is based on complex financial modelling over many years and since submission of the Safety Valve plan an adjustment relating to the calculated costs for Special Schools recoupment has been identified, which represents £3 million of the increase. The majority of the remaining overspend relates to increased demands in Independent School pupil numbers and the DfE targets to issue EHCPs within a timely manner over and above the submission plan.

4.6 The latest DfE Safety Valve update sets out a number of areas where progress is being made which will improve the overall financial position:

- a) Post 18 Supervision and next steps: Over 100 young people have moved on from an Education Health & Care Plan (EHCP) through joint working with the young person and their family alongside Education, Health and Social Care professionals.
- b) New specialist resource provision secured: 66 new resource base places secured from January 2025.
- c) Ordinarily Available Inclusive Provision (OAIP) and early support initiatives being improved.
- d) FE Capital bid successful and the numbers in the Home to Onsite (H2O) programme have expanded above the baseline.

## **5. Performance**

### **5.1 EHCP timeliness**

Progress has been made in the number of EHCPs being issued per month, with an average of 169 plans being issued a month over the past four months compared to 87 per month over the previous six months.

However, this has not had as much impact on the backlog as we would have liked as the number of EHCP needs assessment requests continues to increase, with an 18.42% increase on last year.

### **5.2 Annual reviews**

The number of overdue annual reviews has also dropped over the past six months.

## **6. Conclusion**

This report provides an overview of the SEND Service, the work being undertaken to transform the Service including working with partners and internal resources being utilised, and the current financial position.

Councillor Lois Samuel  
Cabinet Member for SEND

