

CHILDREN AND FAMILIES OVERVIEW AND SCRUTINY
COMMITTEE – 23 January 2024

QUESTIONS ASKED UNDER STANDING ORDER 34

Question asked by Mrs Sue Whiting:

“Could the Chair please state:

- a) How many children, currently in Year 6, with an EHCP, working below Year 5 expectations, have been allocated a mainstream place for Year 7 in September 2024?
- b) How many children, currently in Year 6, with an EHCP, working below Key Stage 2 expectations, have been allocated a mainstream place for Year 7 in September 2024?
- c) How many children, currently in Year 6, with an EHCP, have not been allocated a placement or provision (Mainstream or Specialist) for Year 7 in September 2024?”

Response by the Chairman:

- a) There are 428 Year 6 children with an EHCP. The Service is working to ensure all Year 6 children have a named place by 15 February 2024 transfer deadline. The information about curriculum levels is held within the schools.
- b) There are 428 Year 6 children with an EHCP. The Service is working to ensure all Year 6 children have a named place by 15 February 2024 transfer deadline. The information about curriculum levels is held within the schools.
- c) As of 18 January 2024, there are 224 Year 6 children with an EHCP that do not have a named placement. The review and placement teams are working through the 224 cases to allocate a place by the 15 February 2024 phase transfer deadline.

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Question asked by Mr David Warwick:

“Given the TSIL FAQs state that in 2022 ‘we spent more than the Government (High Needs) grant by £10.8m’, and in March 2022 the Department for Education signed a £19.5m contract with consultancy firm Newton Europe to address this. Could you please advise:

- a) Why has Leicestershire County Council spent over £10 million on high-cost dubious value private SEN provision (ISP) in 2023 and why has the Council failed to make any progress to meet its legal obligations to process Education, Health and Care Plans (EHCPs) in the required 20 weeks?
- b) How does the Council expect schools to cope if 68% of children in specialist settings are to have their needs met in mainstream schools or resource, and 34% children with a EHCP in mainstream provision are to have needs met without an EHCP.”

Response by the Chairman:

- a) The High Needs Grant allocated to Leicestershire for 2023/24 totals £105,082,000. The cost of placements for children with Special Educational Needs and Disabilities in 2023/24 is budgeted to be £112,643,000. These costs include places at special schools, additional money to support children with an EHCP in mainstream school, resource bases and independent provision. The cost of independent provision makes up around 27% (£30m) of the overall placement costs. The type of provision that is required to meet a child’s needs is set out within their Education Health and Care Plan. Schools across the county are consulted on whether they can meet the needs of children as set out in the plan. Independent provision is used for children where their needs cannot be met elsewhere or where there is no other provision available to meet the needs of children.

Over the last 5 years the County Council has invested over £30m to provide over 500 additional specialist places for children with special education needs and disabilities in state funded provision in Leicestershire.

The average time taken to complete an EHCP assessment in Leicestershire is currently around 35 weeks. It has decreased from an average of 42 weeks earlier in 2023. 35 weeks remains well above the requirement for plans to be completed in 20 weeks. The main reason for the delay in assessments is the availability of Educational Psychologists (EP) to undertake the advice element

of the EHCP assessment. EP availability is a national issue; however the local authority has taken a number of steps to recruit additional EPs to undertake the assessments in order to improve timeliness.

- b) The deep dive into SEND Services in Leicestershire that took place at the beginning of the programme reviewed the journey of children and young people in non-mainstream settings, and was focused on opportunities for improved outcomes – often earlier in their education journey. The review found that in 32% of the cases a specialist school was needed to meet needs, in 40% of cases, there was an opportunity for the needs of that child to be met in a mainstream school and in 28% of cases, there was an opportunity for the needs of children and young people to have been met in a mainstream SEN unit. It should be emphasised that the deep dive into potential opportunities is not the same as the idea that children “are to have their needs met” with a different level of support, and that the focus is on new starters into the SEND system rather than any inappropriate change of provision.

This analysis has led to the work across the programme to look at how children with special educational needs and disabilities needs can be met in mainstream school, when this is the most appropriate setting for the child. This has included the development of the inclusive practice tool kit, settings specific planning work, as well as improving processes and ways of working across Early Years and SENA.