

# Draft: EHCP mini review report

## INTRODUCTION AND BACKGROUND

- 1.1 This is the final report of the scrutiny review into Education, Health & Care Plans (EHCP). The Education and Children's Services Scrutiny Sub-Committee decided to conduct a review in July 2017. The aim of the review is to make recommendations to the Cabinet
- 1.2 The review set out to address these issues in particular:
- how well Education, Social Care and Health are working together on the development and delivery of EHC Plans
  - how effective our current arrangements are for children and young people
- 1.3 The committee chose this review as a follow up from scrutiny conducted in 2015/16, when the sub-committee focused on the Youth Offer and the Autism Strategy. The other driver was to check that joint working was as good as it could be in a time of budget pressures.

## CONTEXT AND BACKGROUND

- 2.1 The Children and Families Act 2014 introduced a new approach to securing the provision needed by Children and Young people with special educational needs and disability (SEND). The 0-25 SEND Code of Practice is statutory guidance on the Act and in the spirit of the Code, Southwark co-produced its policy and processes around the new provisions with all involved agencies, parents and Children and Young people. Parents and Young People have set the vision for SEND in Southwark, *'where children and young people with SEND have the same opportunities as everyone else'*.
- 2.2 The Act and Code introduced new ways of working and statutory duties around:
- The involvement of children, young people and their families in all processes. Coproduction must be at the heart of all we do with all being equal partners in the process
  - A full assessment by all agencies leading to an outcome focused EHCP
  - A clear, transparent Local Offer of services for children and young people with SEND and their families
  - Services to be jointly commissioned between the local authority and health based on the JSNA
  - 0-25 provision for children and young people with SEND with statutory protections extended to cover 16-25 year olds
  - Extension of the use of personal budgets and short breaks so give families choice and control
  - All schools to be brought under the same legislation however constituted.

2.3 A key aspect of the reforms was the introduction of EHCPs for all new assessments, and the need to transfer all children with statements of SEN onto a plan by March 2018, as well as move to a 20 week timeline from the beginning of an EHC needs assessment to issue of the final plan.

2.4 EHC needs assessments should engage children, young people and parents as equal partners in the process alongside all involved professionals. The aim should be to draw all assessments from all partners together into one plan, agree long term multi-agency outcomes and design provision to meet needs that work towards these shared outcomes.

## **ACTIVITIES AND CONTRIBUTORS**

3.1 A roundtable was held at the scrutiny meeting 27 November 2017<sup>1</sup>. This session looked at the process for developing EHC plans in Southwark, bringing together representatives from education, health and social care to see how joint working benefits children and young people with EHC plans. The following people contributed to the discussions:

- Bridget Nichola, CCG Designated Clinical Officer for SEND
- Kate Moriarty-Baker, CCG Director of Quality and Chief Nurse
- Yvonne Ely, Head of SEN & Inclusion, Children's and Adults' Services
- Shirley Walker Head of Service Children with Disabilities, Transitions, Out of Hours and National and Specialist CAMHS Social Workers, Children's and Adults' Services
- Nina Dohel, Director of Education
- Sunil Chothi, Independent SEN advocate
- Mrs Helen Poyton – Head teacher, Chair of Southwark primary Headteachers

3.2 An Outreach visit to BOSCO was held on 21 December 2017. The meeting was held with Councillor Kath Whittam, Darren Coghlan and Julie Timbrell. BOSCO work with about 70 students, 11 of whom have EHC Plans. BOSCO is focused on meeting the needs of young people who are not served by other provision. A significant number are on the autistic spectrum.

## **4 MAIN ISSUES**

### **4.1 Progress in moving plans from SEN to EHC Plan.**

The national deadline for moving everybody from SEN to EHC Plans was 31 March 2018, however most local authorities have struggled to complete the conversion by this date. Officers report that they are not straight forward to convert. To date (June 2018) Southwark have had a total of 1500 statements to converted to EHCPs; 98% on time. This earned the council a letter of commendation from the DfE on the high rate. The new deadline for conversion is the end of August, with only a handful remaining.

The independent SEN advocate commented favourably on Southwark's high rate of conversion, compared to many London boroughs.

---

<sup>1</sup> <http://moderngov.southwark.gov.uk/mgAi.aspx?ID=48056>

## **4.2 Relationship with partners & resources**

The primary school headteachers' network lead praised Southwark for doing good work, however she said there is insufficient funding to do this work well; there are many children with high needs and expectations. Resources are not keeping pace with demand.

BOSCO was positive about the EHC Plans and particularly their use to fund the employment support service for young adults that they run.

BOSCO recommended a communication protocol between providers and officers which set out matters such as timescale to respond to queries.

## **4.3 A shorter plan**

There was unanimity that EHC Plans can be over long. Southwark is focusing on one page plans, and has received good feedback on this approach.

BOSCO agree the plans can be over long, and could benefit from simplifying. They said that there are different plans and forms for each authority and getting the same format across different boroughs would be helpful. BOSCO suggested that a shorter London wider agreement on a consistent and shorter plan would be useful. This could be something that London Councils might be able to help with. Differentiating by different levels is useful and keeping a tight focus would be more functional, for example just an education focus if that is the relevant issue.

## **4.4 Explicit about bands**

The current Southwark plans specify the bands; this was commended as good practice by the SEN advocate.

## **4.5 Placements and options**

The local services available need to provide more options and capacity at all education levels, but particularly post 16 for higher needs.

The borough has a school capital plan which will enable a rebuild of Cherry Gardens School and an autistic free school. Both will have a nursery. Officers said that they thought local authority and academy schools do well. This assertion is untested and the very limited anecdotal comments received was that SEND practice is mixed with some schools doing very well and other less so.

Previously the Local Offer was for 0-19, now it is for 0-25. The 16 to 25 segment has been most challenging: officers said that colleges have found it befuddling but are getting on board.

BOSCO reported that their Supported Interns scheme is working really well, and keeping young people in the borough. It is aimed at 18 – 25 year olds. They have supported employment for up to a year and the aim is to move them into sustained employment. They are looking to expand this programme. They are placing a much greater emphasis on employment opportunities.

BOSCO said that there is a need for more local places that enable young people to transition to the world of work. Funding was previously agreed by the Learning Skills Council and then

the Young People Learning Agency before being transferred to the local authority. Budgets allocated to the Local Authority were based on historic costing and not current needs. In the past very high funding levels were allocated to high needs students and this does cause issues currently; many of these young people are placed out of borough which is costly and does not support young people to find sustainable adult roles in the community. BOSCO said that post 17 – 18 years it is important to move students into employment and for young people to start to find an adult role in society; it cannot just be a hamster wheel of provision. BOSCO said this can be difficult and time consuming, but that needs to be the aim. Saving and better outcomes could potentially be made by ensuring better local provision.

There is South Thames consortium/ partnership looking to improve the diversity of the local post 16 offer; however BOSCO is not part of this.

#### **4.6 E learning**

There was a comment that the e-learning course for professionals was useful. Officers were asked if they had thought about opening this up to families.

### **5 RECOMMENDATIONS**

5.1 Continue to develop shorter, smarter, focused EHC Plans.

5.2 Consider approaching London Councils to develop a consistent format for shorter EHC Plans.

5.3 Develop a strategy to improve EHCP placement options at all levels, particularly post 16 high needs local options, with a view to:

- increasing the quantity and quality of available options and placements
- increasing the focus on outcomes post 25, so young people are, as much as possible, able to find a sustainable role in the local community in employment, or otherwise.
- Ensuring that the South Thames consortium partnership meets the needs of local young people who may need an EHCP

5.4 Offer the e-learning course to families to increase EHCP understanding, adapting if necessary.

5.5 Develop a communication protocol between providers (e.g. schools, colleges and other placements) and the Council.