

Talking points

The NNPCF is a membership organisation and our mission states that “we aim to empower our members to ensure that their voice is heard at a local, regional and national level.”

Working with our membership we have identified a number of key “talking points” - these are topics and themes that are the most important to our membership and the ones that have been prioritised by the NNPCF.

Based on feedback from our membership and from other partners and stakeholders, the “talking point” summarise:

- The lived experience of our members about each topic,
- What is working and what is not working, and
- What we would like to see changed.

The talking points have been created using a range of feedback which includes:

- Surveys (including the SEND surveys)
- Feedback from our annual conferences
- The topics raised at regional meetings
- Themes and topics raised by our membership on social media
- Face to face conversations with our membership

Education Health and Care Plans

Parent Carer Forums continue to report that the quality of plans remains a key focus. Many forums have concerns that the quality of plans has been sacrificed to meet the conversion deadline of March 2018. The quality of advice and input from Health and Social care providers remains a concern with reports that attendance at meetings is sometimes sparse and advice is not written in a person centred or outcome focused way. Forums report that promises to address concerns about the quality of EHCPs have not been met through the annual review process.

Many forums report that all too often the provision that has been written into a plan (for example, therapy services) is simply not being delivered. Data from the

national trial of a single route of redress (SEND tribunals) shows often different parts of local authorities (education and social care) are often in disagreement whilst children and families suffer.

Amanda Spielman, in the Annual Report of Her Majesty's Chief Inspector of Education, Children's Services and Skills (December 2018) recognises that '***the quality of education, health and care (EHC) plans is far too variable.***'¹

In their report Local area SEND inspections: one year on, Ofsted and the Care Quality Commission stated:

- ❖ *The statutory assessment process was not working well enough in just over two thirds of local areas inspected. In particular, there were common weaknesses in the process for securing the statutory contributions from health and care professionals to assessments. Consequently, the quality of EHC plans varied considerably both within and across the local areas inspected.*
- ❖ *In over a third of the local areas inspected, leaders across education, health and care did not involve children and young people or their parents sufficiently in planning and reviewing their provision. Leaders have not been successful in establishing strong practice when co-producing children and young people's plans. In particular, there were weaknesses in co-production during the statutory assessment and annual review processes, including when statements of special educational needs were converted to EHC plans.*

The quality of EHC Plans continues to be an area of concern in the local areas required to produce a written statement of action. We have raised these concerns to the Department for Education who continue to actively monitor the quality of plans.

1. <https://www.gov.uk/government/publications/ofsted-annual-report-201718-education-childrens-services-and-skills/the-annual-report-of-her-majestys-chief-inspector-of-education-childrens-services-and-skills-201718>

Some key statistics

There were **354,000** children and young people with Education, Health and Care (EHC) plans maintained by local authorities as at January 2019. This is an increase of **34,200 (11%)** from 2018. This is driven by increases across all age groups, with largest percentage increases in the **0-5 (13%)** and **20-25 age groups (32%).**²

The number of pupils with special educational needs (SEN) has increased for a third consecutive year to **1,318,300** in January 2019, representing **14.9%** of the total pupil population. This is driven by increases in both the number of pupils with an Education, Health and Care (EHC) plan and with SEN support.

In January 2018, there were **1,047,200** children and young people in the **SEN support** category, which represents **11.9%** of the school age population. For further comment, see the SEN support talking point.³

There were **48,900** children and young people with new EHC plans made during the 2018 calendar year. This is an increase of **16%** compared to 2017.

There is, however, evidence that there has been an increase in the number of tribunal appeals in since 2016, with a spike of **6023** appeals in 2018. The majority of this increase is attributable to an increase in appeals against a refusal to assess for an EHCP and against the contents of sections B, F and I of plans.⁴

The NNPCF continue to raise these concerns with the Association of Directors of Children's Services and with the National SEND Tribunal steering group.

²

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/804374/Special_educational_needs_May_19.pdf

³

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/814244/SEN_2019_Text.docx.pdf

⁴ <https://www.gov.uk/government/statistics/tribunal-statistics-quarterly-january-to-march-2019>

The EHCP process

Over half of EHCPs are issued within the 20 week deadline. In 2018, 60% of new EHC plans were issued within 20 weeks.⁴ This represents a 5% decrease from 2017.

The two thirds of parent carers and young people report who responded to the DfE survey said that they are happy with the process.⁵

This survey reported that two thirds of families were informed about IAS services and the majority who knew about them used IAS services.

The NNPCF continue to raise concerns regarding the EHCP process and quality of plans with the DfE and the IASP board.

What do families think about EHCPs?

In general, families are very positive about EHCPs. They are a significant improvement on statements and well written plans that are outcome focussed and person centred give a much better impression of the aspirations and needs of children and young people with SEND.⁶

A key change has been the requirement to co-produce plans with families and young people and there is evidence that this is happening with some success across the country. Many forums report that parent carers are fully or largely engaged in making decisions about their own SEND provision. Only 5% say they are poorly involved.

Statistics from the DfE EHCP survey published in March 2017 show that families also report that plans have made a difference in delivering the outcomes they want:

- 62% agree their EHCP would achieve the outcomes for their young person
- 78% report they got the setting that they wanted from their plan

⁵ Department for Education – Education Health and Care Plan Survey published March 2017

⁶ Ninth Special Educational Needs and Disability (SEND) Reforms Implementation Survey for Parent Carer Forums – Spring 2017

- 73% agree that the EHCP led to them getting the help and support they needed
- 67% agreed that the EHCP improved their child or young person's experience of education.

The DfE commissioned EHC Plan research report identifies a number of factors that led to positive individual experiences of the EHC Plan process, including:

- ❖ Dedicated specialist support
- ❖ Having the EHC plan ready before a transition
- ❖ Sustained face-to-face contact between the family and professionals
- ❖ Involving the child / young person in the process in a meaningful manner

Areas for concern

Whilst the overall picture is very positive, there remain some significant areas for concern. The Local area SEND inspections: one year on report by Ofsted and CQC states that 'weak' EHC plans were a common area of significant concern.⁷

Forums are concerned about the **quality of EHCPs**:

- There is wide variation in how person centred and outcome focussed plans are.
- There is a concern about the involvement of Health and Social Care practitioners in the preparation of plans. Forums report that often there is little or no Health and Social Care input into the plans and sometimes that input is not outcome focussed or person centred.

The Council for Disabled Children has issued advice and templates for Health and Social Care practitioners to help them provide outcome focussed and person centred advice.⁸

⁷ <https://www.gov.uk/government/publications/local-area-send-inspections-one-year-on>

The NNPCF have raised concerns from PCFs about the quality of plans and will continue to escalate concerns to the DfE. The DfE have listened to feedback from across the sector and have delivered quality assurance of EHCPs peer review workshops as part of the SEND Regional Lead programme across all regions.

The NNPCF believes that requirements to attend multi-agency EHCP meetings, provide outcome focussed and person centred training and meet 20 week deadlines should be built into all relevant NHS contracts.

The NNPCF welcome the requirement for providers to meet the 6-week advice deadline was introduced to all new CCG contracts from April 2017.

Forums have expressed concerns about the **ongoing burdens of maintaining plans**. Plans require a great deal more work than statements to maintain and there are concerns that without the additional burdens money, local authorities will not be able to meet the cycle of annual reviews and maintain the quality of plans. The 9th SEND implementation survey identifies the capacity of the local authority SEN teams as the single greatest barrier to hitting the 20 week deadline.⁶

The NNPCF are also calling for timeliness in the completion of annual reviews to be monitored. This includes addressing the quality of plans that were converted from statements by the March 2018 deadline.

Forums are raising concerns about **children and young people in SEND who are not in an educational setting**. There is a sense that some young people are being effectively excluded by provisions. This is also a concern for children and young people at SEN support level.⁹ In the NNPCF survey to inform the Exclusion Review led by Edward Timpson, 60% of forums stated that they were aware of CYP with SEND in their LA who have been encouraged to be home schooled. 95% were aware of CYP with SEND being placed on part time timetables.

⁸ The Council for Disabled Children has issued advice and templates for Health and Social Care practitioners to help them provide outcome focussed and person centred advice.

⁹ <http://www.nnpkf.org.uk/wp-content/uploads/2018/06/NNPCF-Member-Survey-Exclusions-23042018-Response-Analysis.pdf>

Talking points



National Network of Parent Carer Forums

'Our Strength Is Our Shared Experience'

The NNPCF will continue to monitor the numbers of children and young people with SEND who are not in an educational setting and will continue to raise the issue of effective exclusion with the DfE.

The NNPCF welcomes the publication of the Timpson Review on School Exclusions. The report mirrors what our member forums have been saying and we are pleased that the Government has agreed to implement all of the recommendations in the report.¹⁰

¹⁰ <https://www.gov.uk/government/news/edward-timpson-publishes-landmark-exclusions-review>