



Statutory Special Educational Needs and Disabilities Annual Report

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Cabinet Member(s) responsible:	Councillor Katy Cole, Cabinet Member for Children's Services

Executive Summary:

The primary objective of this report is to provide an analysis of the current performance in statutory Special Educational Needs and Disabilities (SEND) services within the Peterborough area. In particular, the focus is on Education, Health and Care Plans (EHCPs) and the statutory compliance associated with these plans.

Furthermore, the report seeks to underline the significant challenges encountered in the pursuit of maintaining budget stability, with a specific emphasis on the pressures faced within the High Needs Block (HNB) as part of the Designated Schools Grant (DSG).

Key points of the report include:

- The total number of EHCPs currently recorded in Peterborough stands at 2926, encompassing children and young people aged 0-25
- There has been a remarkable and significant increase in the number of EHCPs, with an overall rise of 51% observed over the past five years, indicating a growing demand for SEND services
- The report endeavours to identify and analyse the prevailing trends, key issues, and potential areas for improvement within the provision of SEND services. This includes a thorough assessment of the factors contributing to the increase in EHCPs and the implications on service delivery.

The report will provide members with a valuable insight into the current performance and the financial challenges associated with delivering statutory SEND services. This informed perspective is intended to facilitate strategic decision-making and the implementation of effective solutions to enhance the quality and sustainability of SEND provisions in Peterborough.

- Purpose
 1. The purpose of this report is to provide analysis of the current performance in Special Educational Needs and Disabilities (SEND), with a particular focus on Education, Health and Care Plans (EHCPs) in Peterborough, and statutory compliance. The report aims to highlight the trends, key issues, and areas of improvement, while also assessing the overall increase in the number of EHCPs over the last five years.

- Background and key issues

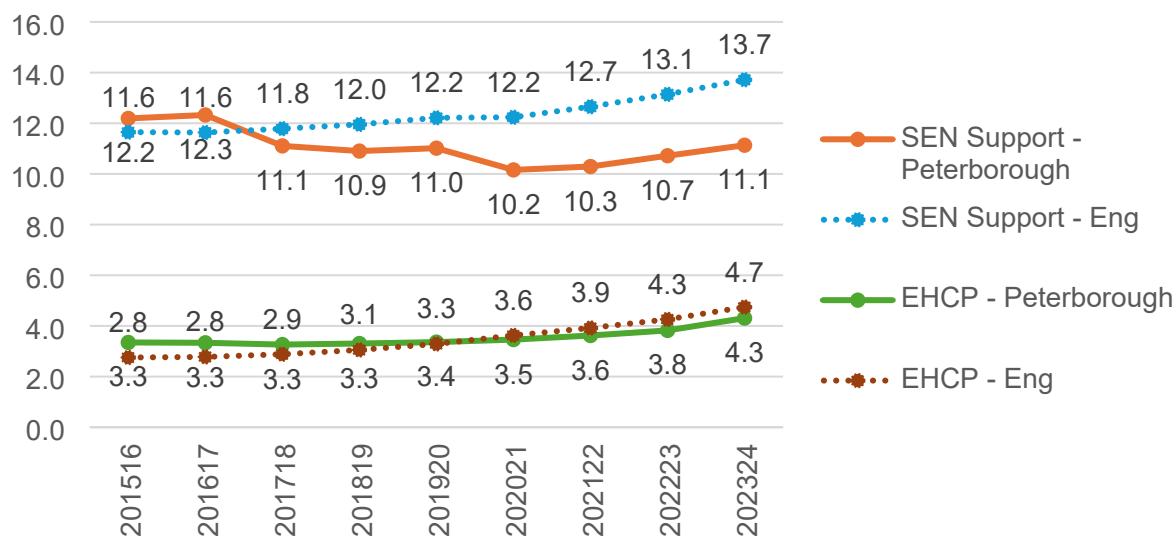
1. **Performance in SEND: Initial Education, Health and Care Plans (EHCPs)**

2. In Peterborough, there are currently 2926 children and young people aged 0-25 with an Education, Health and Care Plan. The total number of EHCPs is increasing year on year, with an overall increase of 51% in the last 5 years.

Academic Year	Number of EHC Plans	Percentage change
2019/2020	1930	
2020/2021	2081	+6.24%
2021/2022	2280	+9.56%
2022/2023	2436	+6.84
2023/2024	2625	+7.75%
2024/2025	2926	+11.47% to date

3. Numbers of EHC Plans in Peterborough as a percentage of the total 0-25 population are at 4.3%, slightly lower than the national average of 4.7%. Comparatively, the proportion of children and young people aged 0-25 in receipt of SEN Support is significantly lower than national average, at 11.1% compared to 13.7%.

4.



5. Broadly speaking, education health and care plans are required where children and young people are assessed to require support beyond that which is ordinarily available within a mainstream setting. Requests for an assessment of education health and care needs can be submitted to the Local Authority by a parent/carer or young person, by an education setting or an involved professional. The Children and Families Act 2014 requires that Local Authorities only consider whether the child/young person:
 - a) May have SEN
 - b) Whether it may be necessary for special educational provision to be made for the child or young person in accordance with an EHC plan.
6. Initial requests for education health and care needs assessments continue to grow, with a cumulative of 64.5% in requests received during 2024 when compared to 2022. This increase is creating a significant pressure on both the statutory assessment and monitoring, and educational psychology services.
7. Of requests received, decisions to conduct an assessment has been stable at 64% across 2023 and 2024, compared to 49% in 2022.
8. Timeliness for completion of initial EHC needs assessments within Peterborough remains significantly higher than national average (50.3%) despite the significant growth. 2024 has seen a decline in this nonetheless, resultant from challenges in recruiting Educational Psychologists to conduct educational assessments, alongside staffing challenges within statutory assessment and monitoring team. Sufficiency within specialist placements is having an additional impact upon service ability to finalise initial EHC Plans within the statutory 20-week deadline – this is explored further within later sections of this report.

	Outcome decisions within 16 weeks	Final EHC Plans issued within 20 weeks
2022	83%	82%
2023	89%	88%
2024	83%	72%

9. The main presenting needs in children and young people in receipt of a first EHC Plan in 2024 is shown below. Communication and interaction, including autism spectrum disorder remains the highest proportion of need however social, emotional and mental health difficulties are at a higher proportion of initial EHC Plans when compared to overall data, proportionally 24% of initial EHC Plans versus 15% of the total cohort.

Main presenting need	% of 2024 initial EHC Plans	% of all EHC Plans
Communication and Interaction	55%	54%
Cognition and Learning	17%	25%
Social, Emotional and Mental Health	24%	15%
Sensory and Physical	4%	6%

10. The majority of EHC needs assessment requests relate to children of primary school age, however the proportion originating from early years settings has increased during 2024, relative to a reduction in those originating in secondary and post-16 settings. This aligns with our Corporate Prevention, Independence and Resilience core priority, and evidences that children are being identified at an earlier age, enabling robust provisions and interventions to be embedded.

Age range at initial EHCP	2023	2024
Pre-school	5%	9%
Primary School	71%	71%
Secondary School	22%	19%
Post-16	2%	1%

11. In recognition of the challenges of significant growth in requests for Education, Health and Care (EHC) needs assessments, PCC Special Educational Needs and Inclusion Services have co-produced guidance of Ordinarily Available and Inclusive Provision (OAIP) alongside a range of partners across the education and health estate and Family Voice Peterborough. This aligns with our Prevention, Independence and Resilience core priority, and is intended to ensure that local education settings are equipped with the resources required to identify needs in children at the earliest opportunity, embedding high quality consistent provision to prepare our children for independence in adulthood. The OAIP guidance is due to be finalised and launched during March 2025.

12. Following the launch of the OAIP guidance, Special Educational Needs and Inclusion (SENI) services have planned a scheme of work to co-produce EHC Needs Assessment guidance, to bring this in to line with locally available provisions and resources. This commences within the summer term 2025 and will be published in readiness for the start of academic year 2025/26.

13. Performance in SEND: Reviewing Education, Health and Care Plans (EHCPs)

14. EHCPs must be reviewed annually, and progress has been made over the last few years, where a recovery plan was put in place to reduce a significant backlog. Between 2017- 2018, the backlog of Annual Reviews stood at 800-1,000, with EHC Plans taking an average of 12 months to update. Delays in updating EHCPs because of the annual review process are a national issue. This is also the case in Peterborough, due in part to very challenging statutory timescales. Work is being undertaken to improve recording and monitoring systems, and an implementation system to switch to a new data management system is underway, with a projected go live date of September 2025. It is anticipated that this move will enable the utilisation of a portal-based system for issuance, minimising the administrative time required in email correspondence.

15. There are four outcomes which may result from an annual review of an EHCP. These are:

- a. amendments are required EHC plan is updated,
- b. no amendments are needed,
- c. a reassessment of need is required,

- d. or recommendations may be made to cease the plan, where the young person has met their learning outcomes and/or is moving on to the next stage of either learning, training or work.
16. Historically, Peterborough have been unable to report upon statutory compliance related to annual review timescales. At the present time, a system has been devised to enable reporting on this area, however it is reliant upon officer input and as such carries a human error risk. Reporting initiated in January 2024, and historical data is not available.
17. The Local Authority is required to inform parents/carers/young people of the outcome of their annual review within 4 weeks of the date the review meeting was held. In 2024, 60% of annual review's resulted in a decision being communicated within statutory timescales.
18. In cases where the EHC Plan is to be amended or maintained within its current format, the Local Authority is required to have issued an updated final EHC Plan within 12 weeks of the date of the annual review. Within 2024, 36% of EHC Plans were finalised within this statutory timescale.
19. Peterborough's Statutory Assessment and Monitoring Service is comprised of 3.6FTE Senior Officers, with direct reports of 12.0 FTE Officers. Each officer is allocated a specific role within the overall statutory process, broken down as follows:
- Reviewing team: 1 FTE Senior, 5 FTE Officer.
 - New Request team: 1 FTE Senior, 3 FTE Officer
 - Transitions team: 0.6 FTE Senior, 2 FTE Officer
 - Resolution team: 1FTE Senior, 2 FTE Officer

New request officers are responsible for weeks 0-20 of the initial statutory process, and oversee all initial requests made for assessment through to the finalisation of an EHC Plan.

Transition officers hold an additional responsibility for the delivery of training on statutory processes to partners across education, health and social care alongside holding a case load of children in transition year groups. Caseloads in this area average 200 children per officer.

Resolution officers are responsible for providing the Local Authority response to mediation requests, SEND First and Upper Tier Tribunal Appeals and holding a caseload of high cost, low incidence children and young people to ensure increased scrutiny of expenditure and quality of education. This includes children educated at out of county, and independent placements as well as those accessing alternative provision and Education Otherwise Than In School (EOTIS).

The reviewing team are responsible for ensuring statutory compliance for the remainder of children with EHC Plans, this includes responsibility for all annual review workstreams. Officers within this team are responsible for an average of 370 children and young people.

20. Performance in SEND: Statutory Mediation and Tribunal Appeals.

21. Within calendar year 2024, 177 mediation meetings have been held, a significant increase on numbers typically seen within a year.

Year	Number of mediation meetings	Percentage change
2021	60	
2022	71	+18%
2023	83	+16.9%
2024	175	+111%

22. The increase in mediation meetings held is impacted by several factors:
- Increases in requests made for EHC Needs Assessments
 - The pressures upon specialist placements in Peterborough currently is leading to a rise in parental dissatisfaction and requests for a mediation meeting for reconsideration of school placement
 - Staffing pressures within the Statutory Assessment and Monitoring Service have meant that Way Forward Meetings following a refusal to conduct an EHCNA paused whilst recruitment took place. When consistently taking place, decisions can be reviewed prior to a mediation request, enabling additional evidence to be presented and minimising the need to progress to formal mediation
23. Nationally, mediation providers are reporting an average of 15-25% year on year increases in demand, though the figure varies considerably between Local Authorities.
24. Similarly, Tribunal registration numbers during in 2024 were significantly higher than 2023, which is particularly impactful given the timescales for appeals remaining live – currently Special Educational Needs and Disability Tribunals (SENDIST) are listing hearing dates 11/12 months from registration dates. This means that the caseload of live appeals is greater than ever before, leading to higher workloads.

Year	Number of Tribunals Registered	Appeals as a percentage of total appealable decisions
2022	35	1.54%
2023	20	0.81%
2024	48	1.67%

25. National SEND Tribunal statistics evidence a 55% national increase in First Tier SEND Tribunal appeals in 2023/24 when compared to 2022/23. The national average of appeal registrations against decisions made by a Local Authority is 2.5%. Despite the increase in appeal registrations, Peterborough remains below the national average.

26. Sufficiency Challenges

27. PCC face challenges ensuring there are specialist educational placements for those identified as requiring them. There are sufficiency challenges in ensuring core staffing can meet the statutory responsibilities, in both the assessment and monitoring, and educational psychology teams. Furthermore, from the

central government funding received, there is a projected shortfall against expenditure to meet the statutory responsibility in 2025 – 2026.

28. Placement sufficiency

29. For those children and young people (CYP) requiring a specialist setting as identified in their EHC plan, the Local Authority will consult with the city's maintained and academy special schools. Currently all our in city special schools are at or above agreed numbers and unable to admit new starters. Places for September 2025 starts have been agreed which result is no further place availability for academic year 2025 – 2026. This means there is a backlog of children awaiting this type of placement.
30. The Local Authority will consult with maintained and academy settings in neighbouring counties; however, they too are also facing placement sufficiency issues, with no spaces available.
31. The independent market is explored as a last resort for some CYP, where it is not possible to support a mainstream setting to meet individuals' needs in the short term whilst maintained and academy special school placements become available.
32. SEND and Inclusion Service and working with colleagues in the wider Education Directorate and colleagues from across the council on the development of a placement sufficiency strategy and action plan. Key items in development include:
- Expansion of Nenegate Special School during academic year 2025 – 2026 creating an additional 40 places
 - Proposal to extend capacity at Marshfields Special School from September 2025, offering an additional 12 places
 - Autism Hub to be creating at Stanground Academy, opening as early as April 2025 and offering 10 places
 - Mainstream school occupancy scoping to identify schools, particularly with reducing roll due to falling birthrates, who could accommodate future specialist hubs, or satellite special schools.

33. Staffing Sufficiency

34. Staffing sufficiency is continually managed via task prioritisation and focus on statutory duty. This is however a challenge. The core statutory assessment and monitoring team is currently fully staffed following a period of instability prior to January 2025, and there is confidence that it will maintain a good level of output. The Educational Psychology Service is facing ongoing challenge with recruiting and maintaining psychologists either to establishment core staffing, or via agency. This is an issue being faced nationally, and largely due to a buoyant locum agency model which is allowing cost of such work to be dictated by the workforce.

35. Financial Sufficiency

36. A 2025 - 2026 High Needs Block (HNB) Budgets paper (Appendix 1) was presented to Schools Forum on 25th February 2025. The HNB budget, managed by the Local Authority, primarily funds education provision across early years, schools, FE colleges, and independent schools. The total budget

for 2025/26 has increased by 8.92% to £55.1 million, which is approximately £4.5 million more than the previous year.

37. Nationally, many Local Authorities are experiencing deficits in their high needs block. For 2024/25, Peterborough is forecasting an overspend of £5.7 million. The overspend is attributed to:

- A 35% increase in the number of children with Education Health and Care Plans (EHCPs) and the corresponding rise in funding requirements.
- Increasing numbers of children with complex needs, particularly those who are neurodivergent, including Autistic Spectrum Disorder (ASD), severe learning difficulties, and social, emotional, and mental health conditions (SEMH).
- Significant waiting lists for Local specialist placements, leading to higher costs for Alternative Provision for children with significant needs moving into Peterborough.

38. The Designated Schools Grant which includes the High Needs Block is currently subject to a national statutory override, and is not currently included in central council accounting

- Corporate Priorities
 - Economy and Inclusive Growth
 - Creating a Sustainable Future
 - **Prevention, Independence and Resilience**
 - **Children and Young People**

- Consultation

1. N/A

- Financial Implications [to be completed by the report author in conjunction with budget holder for that service area]

This report is for information purpose. Financial implication and status is highlighted in point 35, and in attached appendices.

- Value for money

N/A

- Legal implications (to be completed by the Legal team only after all other comments)

The legal framework around SEND is covered by the Equality Act 2010, the Children and Families Act 2014 and the SEND Code of Practice 2015.

- Equalities

There are no equality implications arising from this report

- Options considered

There are no alternative options to consider as this is a report for information.

- Background documents

N/A

- Appendices

1. 2025 - 2026 High Needs Block (HNB) Budgets paper

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