

CHILDREN & YOUNG PEOPLE SCRUTINY COMMITTEE

Minutes of a meeting of the Children & Young People Scrutiny Committee held on Tuesday, 23 November 2021 at 6.00 pm in Telford Room, Addenbrooke House, Ironmasters Way, Telford

Present: Councillors M Boylan, I T W Fletcher, J Jones, A D McClements (Chair) and K T Tomlinson.

Also Present: Councillor S A W Reynolds

In Attendance: R Phillips (Service Delivery Manager: Legal & Democracy), K Robinson (Senior Democracy Officer (Scrutiny)), S Wellman (Director: Education & Skills)

Apologies: Councillors J Loveridge, C Morgan and H Rhodes

24 Declarations of Interest

None.

25 Minutes of the Previous Meeting

RESOLVED – that the minutes of the meeting held on 14 July 2021 be confirmed and signed by the Chair.

26 Children with SEN and Learning Disabilities - EHCP Appeal Process Review

The Director: Education and Skills provided an overview of the Education Health and Care Plan (EHCP) process.

Members heard that, as of May 2021, there were around 29,000 pupils in Telford & Wrekin schools. In total, 4,409 pupils, 14.8% of pupils, were in receipt of special educational needs (SEN) support. Of the pupil population, 1,231 or 4.1% had an EHCP. The regional average of pupils with an EHCP, for the West Midlands, was 4.9% and the national average was 3.8%.

The Children and Family Act 2014 determined the duties of local authorities, health bodies, schools, and colleges to provide for those with SEN. Children with SEN were supported at various levels and the code promoted a focus on early intervention – only those with the most complex needs moved on to an EHCP. The Authority aimed to work with families in an empathetic way with the principle of coproduction and partnership.

The Committee were informed of the structure that EHCPs took. This was followed by an explanation of the 'Graduated Framework for Disagreement Resolution' that the Council adhered to.

Officers set out the steps the Authority took to encourage successful working relationships with families, these included:

- Timely correspondence;
- Meeting statutory deadlines;
- Explaining why decisions were made;
- Utilising positive and supportive language;
- Meeting face to face (where practical); and
- Ensuring families understood the choices available to them.

In the event that the Engagement, Disagreement Resolution, and Mediation stages of the Graduated Framework for Disagreement Resolution were unsuccessful, a SEND Tribunal would be the final step.

A SEND Tribunal was the formal process for a family to challenge a local authority's decisions. Disputes often centred on an authority refusing to conduct an assessment, making amendments to an EHCP, or refuting the cessation of a plan. In 2020/2021, the Authority had an appeal rate of 1.7%, this was the national average. Telford & Wrekin Council was keen to reduce this number. To do this a number of actions had been taken such as focusing on early, informal, resolution and listening to young people in decision-making.

In the prior six to nine months, the number of appeals and cases that proceeded to mediation had reduced. The Council endeavoured to reduce these figures further.

Following the presentation, Members posed a number of questions:

Was there an issue around school preference based on SEN performance?

All schools were schools for children with SEN. There was a strong partnership with schools and a network of special needs coordinators.

At what age were children usually identified as having SEN?

This could occur at any age, though mainly in early years and late on in primary school.

Did the Authority work with families to explain why children were identified as having SEN?

It could be difficult for families and so empathy was key. There was a spectrum of SEN and family support judgements were made on a case-by-case basis.

Were there school places for all special needs children in the Borough?

All schools in the Borough support children with SEND. There was a mix of mainstream, special and specialist hub provision.

How effective was mediation? Were there records?

It was not recorded in the same manner as formal tribunal proceedings.

Had Covid-19 slowed appeals, was there a backlog?

Virtual meetings had taken place so there was not much of a backlog.

27 School Streets Working Group Report

The Service Delivery Manager: Legal & Democracy presented the report.

Members expressed support for the report and noted its content and recommendations.

28 Chair's Update

The next meeting was scheduled for 8 February 2022.

The meeting ended at 6.58 pm

Chairman:

Date: Date Not Specified