

Question to Children, Families, Lifelong Learning and Culture Select Committee – 20 July 2023

There is talk of a full investigation into how Surrey deal with the EHCP process. Can a specialist independent SEND lawyer be part of the team carrying out this review, to ensure any areas where compliance with SEND legislation could be strengthened or improved in any way, are properly identified?

Anna Sutherland

Response

The end-to-end review of statutory process will be drawing on the expertise of our Principal Solicitor - Adults, Education Litigation & Employment Team to offer legal oversight and appropriate review of compliance to the SEND legislation. The end-to-end Review is not an investigation into how Surrey County Council deals with the EHCP process, it is a planned improvement activity designed to ensure that there is continuous improvement and learning, recognising that the current process can be difficult to navigate and is subject to routine complaints. To that end the review will take account of a wide range and sources of information.

Response prepared by Tracey Sanders, Assistant Director – Inclusion & Additional Needs SW

Question to Children, Families, Lifelong Learning and Culture Select Committee – 12 June 2023

Is it standard practice in Surrey to use a trainee EP to carry out needs assessment without an experienced qualified EP to be present to make sure that a child with complexed needs are fully seen?

Louise Gannon

Response

In order to become an Educational Psychologist (EP) practitioners must complete a post-graduate doctorate in Educational Psychology. This is a three-year course with placements in Local Authorities in years two and three. Prior to this, a practitioner must first have attained a three-year degree in Psychology which meets the standard of accreditation by the British Psychological Society. Before being accepted on to a postgraduate course, a practitioner must also have relevant experience working with children in educational, childcare or community settings.

Upon completing the course and entering the workforce Educational Psychologists must also have the skills and knowledge to undertake the full range of duties the role requires, and this includes the provision of psychological advice as part of the statutory Education Health and Care Needs Assessment.

Surrey Educational Psychology Service has an excellent reputation for supporting postgraduate Trainee Educational Psychologists (TEPs) to develop the skills and

knowledge they need to become effective practitioners. The majority of TEPs are on placement in Surrey for two of the three years of their postgraduate doctorate study. During this time, they will have an experienced and fully qualified EP who will provide weekly coaching and professional supervision. Initially, the TEPs develop their knowledge and skills through shadowing and joint working with fully qualified EPs. Over time they will undertake individual work under close supervision, and this will include the provision of a number of statutory psychological advices. Through training and supervision TEPs will reach the point where they are able to conduct assessments without a fully qualified EP present. All assessment work that takes place under those circumstance has followed a period of close supervision and is supported by a fully qualified EP in the planning for and interpretation of the assessment with the resulting advice report being counter-signed by the supervising EP to confirm that it meets expected professional standards.

Response prepared by Tracey Sanders, Assistant Director – Inclusion & Additional Needs SW

Question to Children, Families, Lifelong Learning and Culture Select Committee – 20 July 2023

This question relates to item 6 - EHCP Timeliness.

Having read the report I am quite appalled to read that Surrey's EHCP timelessness rate is 26.4%. This compares to the national figure of 50.7%.

The most alarming thing to me is the following point in the report:

84. The latest June 2023 timeliness data suggests that the impact of the recovery plan is on a positive trajectory, **however, the backlog of overdue assessments will not be reduced unless the number of needs assessment requests reduces** and the capacity of services who are required to provide professional advice as part of the needs assessment increases.

My question is this: how does Surrey lawfully intend to reduce the number of needs assessment requests? Bearing in mind that the threshold for an EHCNA set out in section 36(8) of the Children and Families Act 2014 is:

- whether the child or young person **has or may have** special educational needs (“**SEN**”); and
- whether they **may** need special educational provision to be made through an EHC plan.

Amanda Lazenby

Response

As part of our commitment to a needs-led approach to supporting children and young people with additional needs at the right time and in the right place we have taken

steps to ensure that more resources are targeted to supporting schools to meet needs at the SEND Support stage, without the need for a statutory EHC Plan. This is important as it ensures that children's needs are well met at the earliest stage, and this is set out clearly in the statutory code of practice as an important part of the SEN system and provision for children and young people.

In September 2022 we launched our Ordinarily Available Provision (OAP) guidance in which we have clearly set out our expectations of what support should be ordinarily available within mainstream schools and settings, and which should be funded from within the school's notional SEN budget. This guidance was co-produced with school leaders and the parent carer forum, Family Voice. The Surrey OAP offer ensures that all children and young people have access to the right support at the right time and includes provision linked to all four areas of primary need including therapeutic approaches.

Details of the OAP available in schools can be accessed on the Surrey SEND Local Offer website [here](#)

By applying the expectations of what a school or setting should be doing to support a child or young person before requesting an EHC Needs Assessment we are able to offer additional help and support services to schools where they are experiencing high levels of additional need or have requested further advice and guidance. This strengthens the support available for all pupils.

We have also taken steps to be clear and transparent about our decision-making by publishing on the SEND Local Offer website a guide to how schools are funded; the duties on schools at SEND Support and how decisions are made. This can be accessed [here](#)

Every request for assessment continues to be considered on its own merits and in accordance with the relevant legislation and we are confident that an assessment will be carried out for any child or young person whose needs can only be met in accordance with an EHCP.

Response prepared by Julia Katherine, Assistant Director – Inclusion & Additional Needs NE

Question to Children, Families, Lifelong Learning and Culture Select Committee – 20 July 2023

It is understood that a review is to be undertaken to consider your approach to SEND and how Surrey County Council approach this.

Can I also ask that this committee bring in a lay person experienced in complaint handling to address your handling of parents' complaints and how this is actioned, as parents find your approach at present is poor at best and very poor most of the time.

Can this urgently be addressed as part of the review process?

From experience of your system. Surrey Be heard ignores you. Chief exec complaints go unanswered, and when we raise them in person with management you don't do anything to sort them unless we start ranting in person in your reception.

This must be addressed.

Colin Pugh

Response

The end-to-end review of the statutory SEN service will address communication with parents and carers as part of its scope, although not the Surrey-wide complaints system specifically. We will be engaging with lay people experienced in complaint handling informed by our Customer and Communities Team, and through families via Family Voice Surrey, and through one-to-one interviews with parents and carers to understand their experience of the service and the ways we can develop together. In this respect the review will draw on expertise both from within the Local Authority and independently from it as needed to inform the review.

The SEN end-to-end review will build upon the improvement work to date, where a dedicated officer in each quadrant team oversees the management of complaints. The review will support early dispute resolute and proactive communications with the aim of reducing the need for a family to complain in the first place.

The CFLL Customer Relations Team manages complaints about services in the Children Families and Lifelong Learning Directorate. There are two complaints procedures that apply, the Children Act 1989 Representations (England) Regulations 2006, for complaints about children's social care services and the Council's two-tier complaint process for complaints about other Services. The CFLL Customer Relations Team is separate from and therefore impartial to the front line or operational services.

Details regarding the two-tier complaints process can be found on the council's webpage [How we deal with your complaint - Surrey County Council \(surreycc.gov.uk\)](https://www.surreycc.gov.uk/how-we-deal-with-your-complaint). This is the same process for complaints about all council services excluding children's social care and adult social care provision.

As part of our journey to improve the experience of families we are recruiting to four new Complaint Leads within our education teams, whose role will include an early resolution model for addressing customer concerns in the first instance. The objective is to have a consistent and initially informal approach for dispute resolution within the operational or front-line teams. This model has been taken forward so as to enable the operational teams to work directly with families in the first instance, to address any concerns they have about service delivery and to signpost families to alternate and more appropriate routes such as appeals procedures when relevant.

This is in recognition that families do not always want matters addressed through a formal process and would prefer to speak directly to an officer who can resolve their

concerns. In the interim, pending the successful recruitment to these four posts, the customer relations officers do ask the front-line services and accountable managers to call customers and use the early resolution model in the first instance. We recognise that this is not always as effective as we would like to see and acknowledge that in the short term, the formal process must be the route used.

The End-to-End review of the statutory SEN service will address communication with parents and carers as part of the scope, although not the Surrey wide complaints system specifically. We will be engaging with families via Family Voice Surrey, and through one-to-one interviews with parents and carers to understand their experience of the service and the ways we can develop together. The review will draw on expertise both from within and without the Local Authority as needed to inform the review.

Response prepared by Jessica Brooke, Team Manager – Children, Families and Learning Customer Relations

Question to Children, Families, Lifelong Learning and Culture Select Committee – 20 July 2023

1. Could I please request the following information on EHCP key stage transfer update performance for 2023?
 - (a) How many pre-16 SEN Key Stage Transfer children and young people with existing EHCPs were due to have their EHCPs updated by 15 February 2023?
 - (b) How many had their EHCPs updated by 15 February 2023?
 - (c) How many of the EHCPs updated by 15 February 2023 **did not** have a named school allocated?
 - (d) In how many cases where a school was allocated by 15 February 2023 did the school state that they **could not** meet need?
 - (e) How many of these children and young people still (as at 10 July 2023) still **do not** have a named school allocated?
 - (f) How many post-16 SEN young people transferring after year 11 or to post-16 provision with existing EHCPs were due to have their EHCPs updated by 31 March 2023?
 - (g) How many had their EHCPs updated by 31 March 2023?
 - (h) How many of the EHCPs updated by 31 March 2023 **did not** have named provision allocated?

- (i) How many of these young people (as at 10 July 2023) still **do not** have named provision allocated?

2.

- (a) How many SEND case workers are currently employed by SCC - by quadrant, and in total?
- (b) Of these how many are permanent employees and how many are agency or temporary staff – by quadrant and in total?
- (c) What is the budgeted case worker establishment for FY24/25 – and by quadrant if appropriate?
- (d) How many case worker posts are vacant at present – by quadrant and in total?
- (e) What is the average case load of each case worker and what is the spread of load – by quadrant and in total?
- (f) What are the reasons for the variances in load?
- (g) How many permanent case workers have resigned in the past 12 months – by quadrant and in total?
- (h) How many permanent case workers have been recruited in the past 12 months – by quadrant and in total?

Cllr Fiona Davidson

Response

1.

- (a) For Pre-16 Key Stage Transfer (KST) up to the 15 February deadline for those going into year groups YR3 and Y7 there were 1,793 going through the KST process.
- (b) All of the 1,793 children going through the KST process in 2023, 100% had their plans updated.
- (c) Of the 1,793 children going through the KST process 116 had a type of school provision stipulated and did not have a named school. This was a record low, building on the previous year's trend, stipulating, for example special school, to confirm the type of appropriate provision that would be sought for the individual student.
- (d) This information is not routinely recorded as a key data set; confirmation of the figure would require a manual trawl of the 1,793 records individually. This would

be a time-intensive task and difficult to achieve with existing staff before the end of term as the service still aims to name placements for some children before the end of the academic year. This data set could be added in future years in connection with the KST process.

- (e) There are 36 of the initial group of 116 and of the overall total of 1,793 still to be placed as of 5 July 2023, we continue to seek to secure an appropriate placement for these children, many of them have complex needs where the schools and providers approached have stated that they cannot meet need. A plan is being developed for each child to ensure that they will have a clear educational pathway for September 2023.
- (f) There were 858 young people that went through the Y11 KST (post-16) process this year at the 31 March deadline.
- (g) 100% of Y11 young people had their plans updated.
- (h) Of the 858 young people that went through the Y11 KST process this year, 31 young people who required specialist provision were named by type and a further 230 young people confirmed as going to a General Further Education College were also named by type, the great majority of whom are currently in mainstream schools. For Post-16 KST, in contrast to that for other ages, there is a much wider range of options available. It is different to pre-16 processes as there is no limit to the number of offers any one young person can have and in many cases confirmation of GCSE exam results is required to be assured of entry to a preferred course, sector of interest or employment pathway. All of these factors make it difficult to confirm by 31 March which college and course they will attend. Moreover, as with any young person there is a careers element to decisions and in many cases, they have not reached a decision by 31 March for the beginning of the following September. This combination of multiple offers and the very early deadline date means in many cases young people and their families have not decided on their preferred GFE college or course by 31 March, so naming a provision is not helpful in these circumstances, both for the young person and the college.
- (i) Of those requiring specialist provision that figure is now 24 young people and 165 young people who have GFE college named as type remain for the reasons set out above. They have multiple offers from GFE colleges, they are awaiting GCSE results, or they and their families had still had not decided on a preferred GFE college.

2.

(a) As of July 2023, the total number of SEND case officers currently employed across Surrey is 68.1 expressed as a full-time equivalent number (FTE). This is broken down by quadrant as follows:

NE: 18.6 case officers;
NW: 16.9 case officers;
SE: 19 case officers;
SW: 13.6 case officers

(b) The team has 59.1 permanent case officers (expressed as a full-time equivalent) with 9 agency case officers.

These are broken down by quadrant as follows:

NE: 18.6 permanent case officers;
NW: 15.9 permanent case officers, 1 agency case officer;
SE: 14 permanent case officers, 5 agency case officers;
SW: 10.6 permanent case officers, 3 agency case officers

(c) The total budgeted SEN case officer establishment is 81 full-time equivalent posts. This figure includes an increase in this financial year of 6 case officers in the SE team, and a further 3 in the remaining teams. The case officer is broken down by quadrant as follows:

NE: 20;
NW: 18;
SE: 26;
SW: 17

(d) There are currently 12.9 full-time equivalent vacancies in the SEN case officer team across Surrey, prior to the increase in the team this would have been 3.9 FTE (5%) vacancies. The vacancy numbers are broken down by quadrant as follows:

NE: 1.4;
NW: 1.07;
SE: 7;
SW: 3.4

(e) The average current case holding per case officer across Surrey is 197, this reduces to 165 when the team is fully staffed. The current Quadrant totals are as follows:

NE: 193;
NW: 179;
SE: 206;
SW: 210

(f) The current case load variation is connected to the vacancies held within each team. There is active ongoing work to recruit to all vacancy gaps using permanent staff where possible, and agency staff in the interim (or in the case of

covering for maternity or secondments). The difference in the size of team in each quadrant takes into account the number of plans held within those areas.

(g) Due to a change in IT systems the full year HR data is not currently available. However, we will undertake a manual search of the information and provide it to the committee.

(h) Due to a change in IT systems the HR data is not currently available. However, we will undertake a manual search of the information and provide it to the committee.

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