

## **Children & Young People Scrutiny**

### **Briefing on Education, Health and Care Plans**

#### **What is an Education, Health and Care Plan?**

An Education, Health and Care Plan (EHCP) is for a child or young person with special educational needs who needs more support than his / her school or educational setting can provide from the resources normally available to mainstream schools and settings. An EHCP describes a child or young person's special educational needs (SEN) and the help they will get to meet them. Under the Children and Families Act 2014, EHCPs have replaced Statements of Special Educational Needs. In addition to educational needs and provision, an EHCPs also sets out the child or young person's health and social care needs which relate to his/her SEN and the health and social care support to meet these needs. The plans can start from a child's birth and continue into further education and training (from 0 to 25). An EHCP is a legal document written by the local authority (in engagement with other partners, the parent and child or young person) and is intended to ensure that children and young people with an EHCP receive the support they need.

The Children and Families Act came into force in September 2014, and since that date local authorities have been required to reassess needs and where needed transfer all existing Statements of Special Educational Needs (SEN) and Learning Difficulty Assessments (LDAs). The transfer of statements to EHCP has been a gradual process with priority to young people with LDAs and to children and young people transferring between phases of education. The deadline for the completion of all transfers of Statements of SEN to EHCPs was 31<sup>st</sup> March 2018 and in Merton all but 15 had been transferred by that date, with reasons known for those that were outstanding at the date.

#### **How are they used in Merton?**

Firstly, a request is made for an EHC Needs Assessment to the local authority. The request could be made by the parent of the child or young person, their school, setting or a professional working with the family. If the request for an assessment is accepted, this leads to a detailed assessment of all the education, health and social care needs of the child or young person.

Once the assessment is complete, an EHCP is written. This is undertaken in partnership with the parents and the child or young person and those who know them best. This means that the child or young person and their parents are kept at the heart of the decision-making process. Support will be provided to ensure that the plan is easy to understand and help parents and young people to be involved in preparing it. Parents and young people have a right of appeal to the First Tier Tribunal (SEN and Disability) if they disagree with the contents of an EHCP, including the placement specified for the child or young person.

The EHCP is reviewed every year and, as they get older, this will include adding in support for young people to move successfully into adulthood. Examples of the support that can be provided include resources to help young people to live independently and gain employment. Support through an EHCP can be provided up to the age of 25, depending on the needs of the young person.

There is a statutory 20 week deadline to complete the process from the request for assessment to the date when the EHCP is produced: this frequently presents a challenge

to councils and their partners. Where possible, professionals will work together to ensure the process is completed as quickly as possible. Whilst focusing on the transfer of Statements onto EHCPs, as required by the 31<sup>st</sup> March 2018 deadline, there was slippage in the number of new plans completed within the 20 week period with only 38% achieving this during 2017/18. Most were completed within 26 weeks. 2016/17 data shows that across London less than 53% of EHCPs were completed within the 20 week timeframe (comparative data for 2017/18 is not yet available).

Following completion of the transfer process, some of the resource provided to undertake this work has now been used to increase capacity within the team to focus on completing the new EHCP requests in order to try and meet the increasing demand. We have also maintained a focus on completing the assessment process and drawing up plans correctly and trying to set and maintain high standards for these, which has led to a decrease in the number of tribunals, demonstrating that whilst the process is taking a bit longer, it seems to be successful.

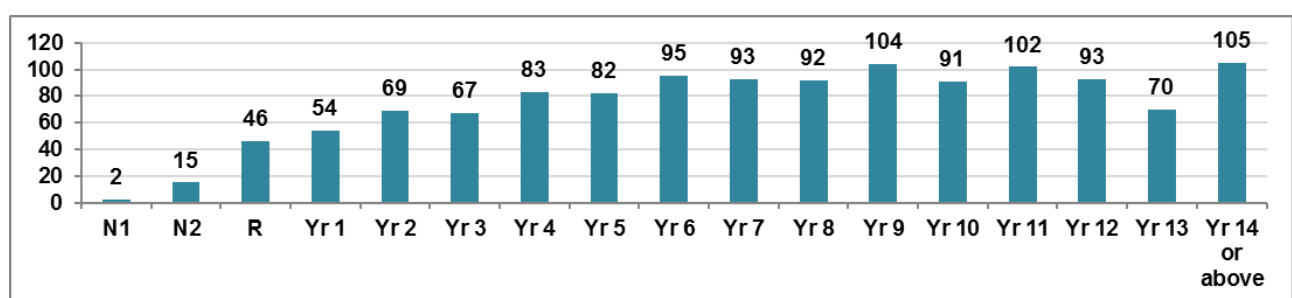
**What are the local figures for Merton?**

The Merton SEND Needs Analysis provides a comprehensive overview of data from the School Census returns, showing a rising trend in demand, benchmarking where possible against National, London and Statistical neighbours. Key highlights from the report are summarised on the follow two pages.

**EHCP or Statement of SEN Numbers**

As briefly mentioned, numbers with an EHCP or Statement have steadily grown year on year from under 700 in 2011 to over 1,500 in 2018 – this growth is at a much faster rate than seen in population growth across the borough. This increase is also in part due to an extension of the age range for EHCPs from 19 to 25 with a growth in numbers of young people supported through college or into employment. The figure below provides a snap shot overview of Merton SEND Residents by Academic year group as at January 2017 (this is the point in the year where SEN returns are completed nationally).

**Table 1: Merton Resident CYP (0-25) with a Statement of SEN or EHCP by Academic Year Group (January 2017)**



**Age**

The majority of Merton Resident Children and Young People start their Statement or EHCP between the ages of 3 and 6. In terms of primary need, Statements or EHCPs are likely to be administered at an early stage for children with SLD (Severe Learning Difficulty), MLD (Moderate Learning Difficulty) and ASD (Autistic Spectrum Disorder), often before primary phase.

As would be expected there were differences in the age of diagnosis for certain conditions. For example, Speech, Language and Communication Needs (SLCN) are likely to be

diagnosed and supported in the first few years of the primary phase (reception and Year 1), whereas Social, Emotional and Mental Health (SEMH) needs are likely to be evident later on in a child's education (later years of primary phase).

### Nature of the SEN

The data outlined key information for services offering support for young people with ASD in particular. Autistic Spectrum Disorder (ASD), SLCN (Speech, Language and Communication Needs (SLCN) and Moderate Learning Difficulties (MLD) are the most prevalent primary needs amongst young people in Merton with Statements of SEN or an EHCP. SEMH is also seeing a large growth for certain year groups. ASD remains the largest group and has had the most pronounced growth in each of the last five years.

### Vulnerable children and young people

Children and Young People within the SEND population make up a large proportion of many of the vulnerable cohorts that Merton CSF services deal with. For example, one-third of open Children in Need (CiN) plans for secondary aged children were for those with a Statement or EHCP. Moreover around 1 in 5 Merton Looked After Children (LAC) has either a Statement or EHCP.

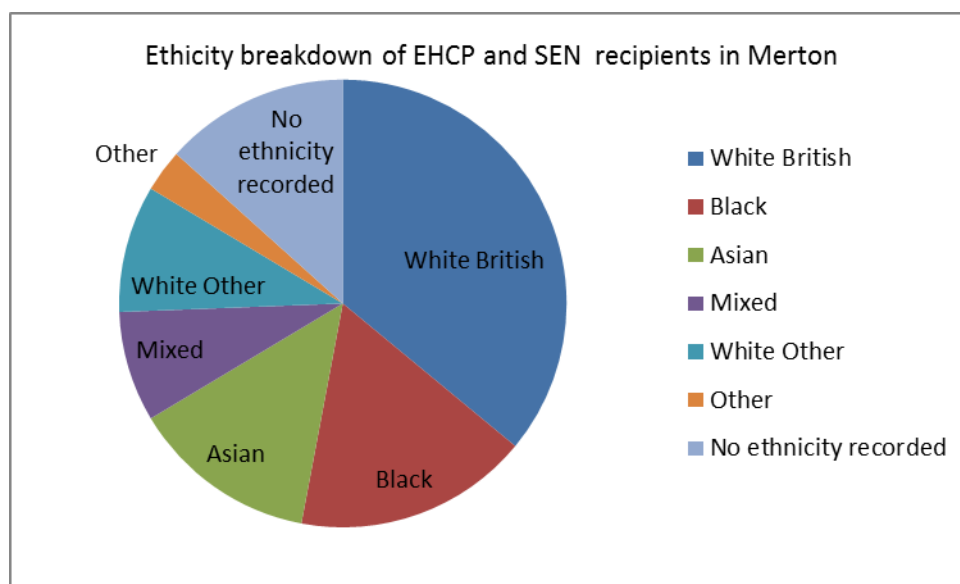
### Gender

The data showed a large gender imbalance for recipients with a statement of SEN or EHCP. Three-quarters of Merton Resident CYP with Statements of SEN or EHCP are male (74% of cohort as at January 2017). In part this is due to the diagnosis pathway for children with ASD which recognises male characteristics more so than those displayed by the female population. Furthermore over the last five years, the number of males with a Statement or EHCP has grown at a faster rate than their female equivalent.

### Ethnicity

Although the number of White British CYP within the SEND population has increased slightly over the last five years, they now form a smaller proportion of the SEND population. A greater number of CYP from Black and Minority Ethnic backgrounds have been identified as in need of a Statement or EHCP.

**Table 2: Merton Resident CYP with Statements of SEN or EHCP by ethnicity (2017)**



## **Questions**

If you have any questions regarding EHCP Plans at Merton Council please contact:  
SENDIS team on [sen@merton.gov.uk](mailto:sen@merton.gov.uk) or tel. 0208 545 4810.