

Bath & North East Somerset Council

MEETING/ DECISION MAKER:	Children, Adults, Health & Wellbeing Policy Development & Scrutiny Panel	
MEETING/ DECISION DATE:	9th March 2026	EXECUTIVE FORWARD PLAN REFERENCE:
TITLE:	Statutory SEND Update	
WARD:	All	
AN OPEN PUBLIC ITEM		
<p>List of attachments to this report:</p> <p>Please list all the appendices here, clearly indicating any which are exempt and the reasons for exemption</p> <ol style="list-style-type: none"> 1) Position Statement – Compliance in Statutory SEND 2) Position Statement – Quality Assurance of EHCPs 3) Appeals Analysis 24-25 4) EQIA 		

1 THE ISSUE

- 1.1 This report provides the Panel with an overview of Education, Health and Care Plans (EHCPs) in B&NES.
- 1.2 This report's summary of EHCPs is drawn from dashboards managed by the Business Intelligence team. Regional and National data has been provided by the DFE through the Southwest RIIA.

2 RECOMMENDATION

The Panel is asked to;

- 2.1 Note the national, regional and local picture regarding the increase in applications for Education, Health and Care Needs Assessments (EHCNA) and the increase in issued plans as detailed in the attached reports.

- 2.2 Be assured that Local Authority Officers continue to work strategically with social care, health, settings and other partners in order to work within statutory guidelines and support settings in delivering the very best outcomes for our children and young people.
- 2.3 Note the improving picture within the service regarding statutory compliance.
- 2.4 Be assured as to the quality of EHC needs assessments and plans, as evidenced by multi agency quality assurance.
- 2.5 Be assured as to the commitment of officers to resolve disputes quickly and without the need for formal appeals process, noting the reduction in appeals for refusal to assess children and young people.
- 2.6 Direct questions to Laura Donnelly, Head of Statutory SEND who will welcome the opportunity to discuss these reports.

3 THE REPORT

3.1 Position Statement – Compliance in Statutory SEND Summary

Bath & North East Somerset Council remains committed to improving statutory SEND services, with the January 2025 SEN2 and subsequent data showing early progress alongside ongoing challenges, particularly around EHCP timeliness and annual reviews.

The local area ended 2025 with around 2,700 EHCPs, having issued 418 new plans that year, and saw a reduction in assessment requests for the second consecutive year, contrasting with national trends. Investment in workforce expansion, AI-assisted plan writing, improved dashboards, and strengthened early inclusion support has reduced average EHCP timescales from 31 weeks in 2024 to 27 weeks by February 2026, with a clear ambition to reach 60% of plans issued within 20 weeks by September 2026.

Multi-agency working has strengthened, especially with health partners and parent carers.

While needs assessment timeliness and annual reviews continue to require improvement, targeted investment, process reform, and clear milestones demonstrate a transparent, self-evaluative approach focused on delivering timely, high-quality outcomes for children and families.

3.2 Position Statement – Quality Assurance (QA) of EHCPs Summary

The EHCP quality assurance framework, introduced in March 2025, is strengthening the quality, consistency and statutory compliance of Education, Health and Care Plans through structured review, multi-agency moderation and targeted workforce development.

Since implementation, 115 EHCPs have been quality assured, with average QA scores rising by 25%. There are improvements across all sections of plans, particularly in health advice and growing strengths in social care contributions, supported by new templates and training.

Ongoing work focuses on improving the quality of outcomes and provision, embedding joint learning through a multi-agency QA group, incorporating parent and carer feedback, and extending assurance to amended and randomly selected plans. Tribunal and complaints data is also considered at this group and findings feed into work force development.

This process is underpinned by a clear commitment to continuous improvement and better outcomes for children and young people with SEND throughout the service.

3.3 Appeals Analysis 24-25 Summary

Bath & North East Somerset Council has a fair, transparent and legally compliant approach to SEND appeals, mediations and complaints, underpinned by recent investment in staffing, improved data quality and a strong focus on early resolution and learning.

In 2025, 165 mediations were lodged, with 60% resolved without appeal, with most appeals in settled collaboratively before tribunal. No extended appeals across education, health and social care were lodged. Refusals to assess and disputes over EHCP content and provision remain the most common reasons for appeal.

Targeted work with schools, clearer communication with families and strengthened quality assurance have reduced refusal-to-assess appeals and improved decision-making in all areas.

Complaints data shows progress in communication and securing provision, while ongoing challenges remain around statutory timescales, particularly 20-week EHCP timeliness and annual review paperwork, reflecting national pressures. Learning from complaints, appeals and the small number of Local Government Ombudsman cases continues to inform service improvement, with future plans to strengthen oversight of provision delivery in schools to reduce delay and frustration for families.

3.4 Peer review and Local Area Inspection Update

As part of the South West SEND Peer Challenge in October 2025, B&NES received constructive feedback that is helping to shape our ongoing improvement work. The review recognised our strong commitment to inclusive practice and co-production, particularly through initiatives like the Participation Promises and the SEND Commitment Audit. It also highlighted areas where further progress is needed—specifically, improving how we use data to evidence impact, and ensuring clearer, more consistent communication with families.

These findings are being actively addressed through our improvement planning and align closely with national inspection priorities, ensuring we are inspection-ready and delivering better outcomes for children and young people with SEND.

Ofsted and the CQC are due to conduct their joint area SEND inspection in B&NES, with the last inspection having taken place in 2019.

This inspection evaluates how well local partnerships meet the needs of children and young people with SEND. Under the new national framework (introduced 2023), these inspections focus on the effectiveness of multi-agency collaboration and the outcomes achieved for families, rather than just local authority compliance. In the South West region, several local areas have already been inspected under this framework (e.g. Cornwall and Plymouth), and common themes have emerged. These inspections have consistently highlighted the importance of strong leadership and governance, a clear joint strategy across education, health and care, effective co-production with families, ensuring the “*right help, right support, right time*” for children, robust commissioning arrangements, reducing waiting times for services, and improving the quality and timeliness of EHC plans.

These priorities provide a benchmark for B&NES, indicating the key areas an upcoming joint inspection is likely to scrutinise. B&NES is actively preparing under this context, aligning its self-evaluation (SEF) and improvement plans (SIP) to these focal areas with 3 key themes – Early Identification, “Waiting Well” (timely statutory processes and support), and Planning for the Future.

The next annual SEF review (due later in 2026) will incorporate the results the improvements outlined in 3.1-3.3 and any new data, ensuring that elected members and stakeholders have an up-to-date picture of how local SEND services are performing.

4 STATUTORY CONSIDERATIONS

4.1 None

5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

5.1 None

6 RISK MANAGEMENT

6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

7 EQUALITIES

7.1 See attached EqIA

8 CLIMATE CHANGE

8.1 None

9 OTHER OPTIONS CONSIDERED

9.1 None

10 CONSULTATION

10.1 S151 officer and Cllr Paul May.

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Background papers	None
Please contact the report author if you need to access this report in an alternative format	