

<b>Scrutiny Board</b>	Scrutiny Committee
<b>Report Title</b>	SEND Transformation Programme
<b>Date of Meeting</b>	Monday 5 January 2026
<b>Report Author</b>	Jude Nash – Head of SEND
<b>Lead Officer</b>	Sally Giles - Director of Children and Education
<b>Wards Affected</b>	All Wards
<b>Identify exempt information and exemption category</b>	Not Applicable
<b>Appendices (if any)</b>	Not Applicable

## **1. Executive Summary**

- 1.1 This report provides an update on the Special Educational Needs and Disabilities Transformation programme, setting out the changes introduced across the Council and its partners, the progress made to date and the impact for children, young people, families and schools. It summarises the main areas of work, how they are improving the quality and timeliness of support, and how this is being monitored and governed.

## **2. Recommendation**

- 2.1 That the Board considers and comments upon the information presented and determines whether it wishes to make any recommendations to the Executive.

### **3. Background and Context**

- 3.1 Sandwell continues to experience a sustained rise in requests for Education Health and Care (EHC) needs assessments, rising from 415 in 2019 to 993 in 2025. Although national demand has grown, Sandwell's increase has been notably higher than regional and national trends. This level of activity has placed sustained pressure on staffing, resulting in delays, variable quality and reduced support to children and families. The number of children and young people with an EHC Plan has risen to more than 4,600. The highest concentrations of EHC plans are in Oldbury, Smethwick and West Bromwich. A group of 221 children have been identified as additionally vulnerable which includes those in care, missing education, educated at home or known to youth justice services. Data from the regional evaluation (MIME 2024 and 2025) highlighted that Sandwell issued a significantly smaller proportion of new plans in the early years compared to many West Midlands neighbours. The impact of this was a delay in identifying needs of school aged children and late planning for children with complex needs at birth.
- 3.2 The SEND Transformation Programme has this year focused on weaknesses in processes and partnership working. One of the most significant challenges was removing the statutory assessment backlog. In January 2025, 523 assessments were overdue, representing almost 59 % of all open cases. Through redesigned workflows, strengthened management oversight and increased workforce stability, the backlog was reduced to zero by September. The average time to complete an assessment has reduced from 54 weeks to 23 weeks. There are still issues with processing educational psychology advice on time and securing appropriate placements. 772 plans have been issued after January and outside the backlog. The average timeliness rate for issued plans since January is 54% (discounting backlog cases). National average timeliness is at 46.4% and the national average time to complete the full assessment process is 33.1 weeks. In Sandwell, the average time taken to complete an EHC assessment is 27 weeks. The direction of travel is positive and supported by clearer processes and improved quality assurance. Capacity for the EHC team remains a significant issued and will be addressed through a service review in January 2026.

- 3.3 Historically in Sandwell, SEND needs were often identified in the early years through inclusion support and Early Years Inclusion Grants, but this did not routinely lead to statutory assessment at that stage. As a result, children's needs were recognised and supported informally, but EHC assessments were delayed until later in primary school, commonly around Years 5 and 6. This meant that early intervention opportunities were missed, primary schools were managing complex needs without a statutory framework, and transitions were less well planned, contributing to higher levels of statutory demand at KS1 and KS2. In 2024, only 0.08% of children under 5 were considered for an EHC assessment, compared to a regional and national average of 0.54%. Partners have overhauled the early years pathways allowing for more children to be assessed. Currently this now stands at 0.38%. However this has meant that the service, while managing the existing school age demand has also had additional demand from early years applications.
- 3.4 Annual reviews remain a significant focus of improvements. While 44.4% nationally of annual review decisions are confirmed within the statutory 4-week timescale. In Sandwell, this is and remains an area for focus. The transformation work will include improved annual review processes, better paperwork and open decision making and training for schools. These are still in early stages on implementation and impact will not be felt until August 2026.
- 3.5 Regional data has shown that Sandwell has been an outlier in terms of refusal to assess decision making and were one of the lowest regionally. In 2024, the area only refused 8.3% of applications compared to a national average of 25%. This highlighted a weakness in decision making. By increasing timeliness and better decision making, the area has been more robust to refuse application, and this year the refusal rate has increase to 16.4%. This is an important part of reducing demand and supporting children effectively at SEND Support level.
- 3.6 The data shows a system that has been under sustained pressure for several years with slow and prolonged periods of decline. The service is now entering

a recovery phase with better data and insight into pressures and demands. Backlogs have been cleared, statutory performance is improving, and partnership working, especially in early years, is strengthening. However, the evidence demonstrates that demand will remain high unless earlier intervention, whole school support and locality accountability are promoted. The transformation programme will continue to focus on workforce reform, early years improvements, locality delivery, the whole school model and strengthened governance to create a more sustainable and inclusive SEND system for Sandwell.

### **3.7 Workforce Stability and Skills**

The service has strengthened its workforce following a period of significant instability. Six interim EHC Officers were brought in to support the clearance of the statutory assessment backlog and have now been redeployed to focus on improving the timeliness and quality of annual reviews. This additional capacity has been essential in stabilising the service.

A permanent EHC Team Manager and senior officers are now in post, providing clearer leadership. Decision making is becoming more consistent, with improved supervision for staff. Caseloads are still extremely high, but are distributed more evenly, and staff have access to support and escalation routes. SEND Law Training has been delivered across the whole ILS team to improve legal knowledge and establish a consistent understanding of statutory requirements. Further training is planned throughout 2026 and a SEND induction module for all staff will be part of the transformation project.

### **3.8 Quality and Timeliness of EHC Plans**

In early 2025, 523 statutory assessments were overdue (59% of open cases), but improved workflow and capacity removed the backlog by September 2026, with over 770 final EHCPs issued in 2025, the yearly average timeliness is 54%, and average weeks to finalise reduced significantly. Health and social care advice is now returned consistently above 95% in time. This has supported timely decision making and more coordinated assessments. Delays still occur with Educational Psychology (EP) advice and securing appropriate local placements.

A robust quality assurance (QA) framework has been introduced. Multi agency audits of EHC Plans happen every month with learning shared across the wider partnership to improve consistency and the quality of outcomes. The service is working with a digital solution company to explore the use of drafting EHC plans with AI. Current QA results show that over 70% of EHC plans are good with clearer, more accessible language and are more outcome focused.

The service has carried out a system review with Leicestershire County Council. This area recognised the delays in securing EP reports and the impact on the overall timeliness. They introduced a new pathway which streamlined their approach, reducing the need for full EP reports to short, quick advice. This proved highly successful and reduced the reliance on locum EP. It was adopted across the East Midlands. Sandwell have recognised the benefits of this approach and will be trialling this to inform local changes.

A trial Decision to Assess panel has trialled. The group allows for transparent and equitable decision making with SENCOs and schools. There has been much positive feedback from this and the group will be rolled out widely across the area to all schools from January.

### **3.9. Early Years Identification and Support**

Regional data in 2024 showed Sandwell identified fewer children with SEND in the early years than other West Midlands areas, meaning many EHCPs were issued only after school entry, which delayed early support, increased KS1 and KS2 statutory requests, and made transitions and provision planning harder.

The significant under identification levels in Sandwell were mostly caused by an area requirement to have a Community Assessment Meeting (CAM) to consider support for children with high levels of need before statutory assessment. Limited EP capacity to attend CAM meetings in the early years

meant that statutory applications were delayed. Nurseries were able to rely on the Early Years Intervention Grant as an alternative support route rather than statutory process. While the grant provided short term assistance, it did not offer the legal protections, multi-agency planning or longer-term provision secured through an Education, Health and Care Plan. Section 36(8) of the Children and Families Act 2014 sets the legal test and is clear that where a child may have special educational needs and it may be necessary for special educational provision to be made through an Education, Health and Care Plan, the local authority must secure a statutory assessment. The SEND Code of Practice 2015 reinforces this position. Paragraph 9.3 sets out the threshold for assessment, and paragraphs 9.14 and 9.16 make clear that a local authority must not refuse to carry out an assessment, or delay assessment, simply because a child is receiving support through SEN Support or other local arrangements.

To address this, the service removed the area requirement for a CAM meeting and introduced two new pathways:

- Birth to Two Years: For children with complex needs, so statutory processes can start much earlier. The youngest child with an EHCP is now 1.8 years old, showing the impact of this change.
- Two to Four Years: Focused on building skills and confidence in nurseries and early years providers, helping them spot emerging needs and provide strong evidence.

As a result, early years statutory assessments have increased, with 237 currently in progress. This shows a clear shift towards earlier identification and a more proactive approach. The aim is for children to start school with the right support already in place, improving readiness and long-term outcomes. This is a significant success for the area.

### **3.10.1 Whole School SEND and SEND Support**

A new core offer has been introduced for all schools focuses on whole school SEND and implementing the graduated approach. This will ensure that most children can have their needs met in their local, inclusive placement, and that staff are confident and well equipped to do this. The core offer provides

schools with two dedicated Inclusion Leads who support building SENCO networks, sharing best practice, and resources so that children with additional needs can be met at the earliest opportunity through high quality teaching and SEN Support, rather than through individual referrals and professional advice.

Alongside this, the EP traded model will provide additional, targeted input for children with rising or complex needs, and for situations where more intensive individual work is required. The expectation is that the traded and individual approaches sit on top of a strong Whole School SEND core offer, rather than replacing it.

The offer will work alongside the early year's identification pathways. Most children with more complex or long-term needs should have been identified, assessed and placed appropriately before they start formal education. Whole School SEND is about confidence, capacity and challenge for schools, making sure that every school can deliver a high quality, inclusive core offer and that support is not escalated unnecessarily.

A new communication route for schools has been introduced, including a front door contact point for schools for queries and escalation, and structured support before concerns grow. Since its launch in October, 366 school queries have been answered to via the front door. Inclusion Officers work directly with schools to provide guidance on reasonable adjustments, the graduated response and effective use of SEN Support. All schools have had an initial meeting with their dedicated Inclusion Lead. Whole school audits strengthened SENCO networks, and a regular newsletter are starting to provide stronger peer support.

The aim of the model is that all schools understand what is expected at SEN Support, can access the free core offer when needed, and draw on traded services for a smaller group of children with more complex needs. Long term, this should reduce unnecessary requests for statutory assessment, improve the quality of applications when they are required and support more children to succeed in their local, inclusive school.

### 3.11 **Coproduction and Parent Carer Engagement**

The transformation programme has placed a much stronger emphasis on coproduction and meaningful engagement. Feedback from families highlighted the need for clearer communication, more transparent decision making and more consistent opportunities to be part of strategic service improvement.

Sandwell has launched a Year of Co Production, supported by Genuine Partnerships, a nationally recognised organisation who work with area partnerships to improve inclusive practice and parent carer voice. The vision is to create a shared culture where coproduction is understood and valued. The work will culminate in a Coproduction Charter and shared pledges. Workshops with parents, schools and professionals are underway with a area wide conference in February.

The Lived Experiences Framework has been introduced to ensure that feedback from families informs both operational improvements and strategic planning. The framework captures feedback in a structured way from a variety of sources including focus groups complaints, tribunals, "You Said, We Did" and surveys then uses this to make sure service improvements are based on what the experiences of our families.

The results of the framework will help the service to draft a more purposeful SEND and Alternative Provision strategy as well as a sufficiency and inclusion plan. Quarter one engagement reached over 55 families and 23 professionals, and early feedback highlighted inconsistent communication and delays in transition planning.

Two multi agency EHCP audits identified strengths in person centred planning and pupil voice, with improvement needed in clearer language and more consistent advice. A 12 month training plan and "You Said, We Did" updates are now in place, and the programme is aiming to complete 100 audits by February 2026.



### 3.12 Partnership Working

Partnership working in SEND has been significantly strengthened to ensure shared accountability. The SEND and Alternative Provision (AP) Board provides strategic direction and monitors progress across all transformational workstreams.

The SEND Strategic Alliance brings together education, health, care and the parent carer forum to consider performance, identify risks and agree joint actions. Alongside these, multi-agency improvement groups focus on key areas such as early years, vulnerable learners, workforce, timeliness and quality assurance. Improved data systems now provide consistent information on statutory assessments, plans, annual reviews, decision making and vulnerable cohorts. This has transformed the ability of the partnership to identify issues early, track progress and coordinate support around children and families.

The service has introduced a multiagency Vulnerable Learners pathway which brings teams together to identify high risk children who have SEND as well as other areas of concern. There are currently 221 children with an EHC Plan who meet the criteria for additional vulnerability, including those who are children we care for, missing education, electively home educated, permanently excluded, receiving education other than at school, experiencing placement breakdowns, or known to the Youth Justice Service. This group is managed by the Additionally Vulnerable Team (AVT), who provide enhanced case management and closer collaboration with other teams.

Joint working with health has increased, with regular engagement from the Designated Clinical Officer (DCO) and Designated Social Care Officer (DSCO) who are both leads within the Strategic Alliance. Social care partners are working more closely with the Additionally Vulnerable Team to support decision making, particularly where safeguarding, placement instability or wider family issues are impacting access to education.

### 3.13 **Digital, Data and Process Improvement**

Significant progress has been made in developing the digital and data systems. New dashboards now provide information on statutory assessments, annual reviews, vulnerable learners, sufficiency, early years demand and financial pressures. These dashboards give managers, senior leaders and partners a reliable view of performance and allow early intervention when delays or risks are identified. The ability to track demand patterns, locality variations and timeliness daily has transformed operational oversight.

## 4. **Consultation**

- 4.1 The SEND transformation programme has been developed through extensive engagement with children, young people, parents and carers, schools and partners across education, health and social care. Regular work with the Parent Carer Forum and other parent groups has informed improvements to communication, the Local Offer, statutory processes and the co production programme. Feedback from complaints, tribunals and lived experiences activity has helped to reshape pathways and decision making arrangements.
- 4.2 Schools have been closely involved through headteacher reference groups, SENCO networks and locality based discussions. Leaders from health and social care have contributed to multi agency improvement groups, early years pathway design and the Additionally Vulnerable Learners Pathway.
- 4.3 The Year of Co Production and the Lived Experiences Strategy provide a structured programme of workshops, audits, surveys and case studies. Outcomes from this work are based on the real lives of Sandwell families and will be used to shape all strategic improvements, including the SEF, the SEND and AP Strategy and sufficiency plan. As the programme progresses, further engagement will take place with families, schools and partners, including formal consultation where required for changes that affect provision or commissioning.

## 5. Financial Implications

- 5.1 Leaders in finance and SEND have worked closely together throughout the transformation programme to understand the drivers of financial pressure within the High Needs Block and to build a shared approach to demand management. Demand for statutory assessment has risen sharply, with 903 applications received in 2025. Although the proportion of requests refused has increased to 16.4 %, the underlying level of demand remains high and continues to place significant pressure on the system.
- 5.2 Detailed modelling undertaken jointly by SEND and finance colleagues shows that, without intervention, the number of EHC Plans will continue to rise steeply over the next five years. Current trajectories indicate that Sandwell could reach more than 7,000 plans by 2029 if no action is taken, creating further overspend and reducing the capacity of the system.
- 5.3 Clearing the statutory assessment backlog has been central to establishing a realistic financial baseline. When assessments are delayed, the authority cannot determine what provision is required and when, which makes medium term financial planning unreliable. With the backlog now removed, the Council has full visibility of commitments and eliminating hidden or uncostered pressures. This has significantly improved the accuracy of forecasting and financial reporting. Other interventions include the early years pathways, improved SEN Support in schools and stronger EHC systems which will support reduction in demand and help children remain in their local communities.
- 5.4 The focus now through the transformation programme must be to reduce inappropriate requests so that fewer, but higher quality, applications are submitted. Schools are being supported to apply the graduated response more rigorously and to develop stronger evidence before making a request.

### 5.5 Transformation Programme

In order to ensure robust grip of transformation activity, that is proceeds at pace and that Sandwell is well placed to implement any changes resulting from the Schools White Paper due in Spring 2026, a transformation programme manager has been recruited and an improvement partner

procured to work with the Council and partners for the next 12 months. This will increase transformation capacity and enable change to be delivered quickly whilst maintaining services to children and families.

## **6.0 Legal and Governance Implications**

- 6.1 The Council has statutory responsibilities under the Children and Families Act 2014, the Special Educational Needs and Disability Regulations 2014 and the statutory SEND Code of Practice. These duties include identifying children and young people with SEND, assessing needs where required, maintaining EHC Plans and securing the provision specified in those plans. The Council must also complete statutory assessments and issue final plans within 20 weeks.
- 6.2 The transformation programme supports the Council to meet these statutory duties by improving timeliness, strengthening decision making and ensuring a consistent application of the graduated response. The introduction of structured processes, including the Decision to Assess panel, supports lawful and transparent decision making under section 36 of the Children and Families Act 2014. Improved quality assurance also helps ensure that EHC Plans comply with statutory requirements relating to clarity, specificity and outcome focused planning.

## **7.0 Risks**

- 7.1 Rising demand remains a significant risk. If the number of statutory assessment requests and EHC Plans continues to increase at the current rate, this will place additional pressure on the workforce, reduce timeliness and increase expenditure within the High Needs Block. Strengthened graduated response and early years pathways are key mitigations.
- 7.2 Financial sustainability is a further risk. Without controlling demand and increasing local provision, the High Needs Block deficit may grow, limiting the Council's ability to meet statutory duties.
- 7.3 Workforce capacity and stability present an ongoing risk. Delivering statutory duties relies on a skilled and consistent workforce, however with growing demand, capacity of statutory teams is already overstretched. Any reduction

in capacity or recruitment challenges could lead to delays in assessments and annual reviews.

- 7.4 Legal and compliance risks remain if statutory timescales are not met or if EHC Plans do not meet the required standard. These risks are mitigated through improved quality assurance, the Decision to Assess panel, multi agency audits and regular performance monitoring using updated dashboards.
- 7.5 There is a risk that increased demand will further impact on insufficient local specialist provision and result in children being placed out of area. The sufficiency plan, combined with earlier planning and improved understanding of need, supports the development of local placements.

## **8.0 Equality & Diversity Implications (including the public sector equality duty)**

- 8.1 The SEND transformation programme has a direct and positive impact on equality, diversity and inclusion. Children and young people with Special Educational Needs and Disabilities are protected under the Equality Act 2010, and the Council has a legal duty to remove barriers, prevent discrimination and ensure equal access to education and services. Strengthening the SEND system supports this duty by improving early identification, ensuring timely assessments and increasing access to appropriate provision.
- 8.2 The Lived Experiences Framework ensures that the voices of families, including those from under-represented communities, are central to service design. This helps ensure that improvements reflect the realities of children and young people from diverse backgrounds and that the system responds to a wide range of cultural, social and accessibility needs.
- 8.3 Work to increase local, inclusive placements supports the right of children to be educated within their communities and reduces the need for out of area placements, which can disproportionately affect children with the most complex needs. Improved quality assurance processes also help ensure that EHC Plans are clear, specific and accessible for children, young people and families.

## **9.0 Other Relevant Implications**

None applicable.

## **10.0 Background Documents**

10.1 The following documents have informed the development of the SEND Transformation Programme and the preparation of this report:

- Sandwell SEND Transformation Plan
- Year of Co Production Programme and Materials
- Lived Experiences Strategy and Framework
- Lived Experiences Quarterly Reports
- Additionally Vulnerable Learners Pathway
- Additionally Vulnerable Team Overview
- Early Years SEND Pathways (Birth to Two and Two to Four)
- Whole School SEND Model
- Education, Health and Care Assessment and Annual Review Dashboards
- Regional Data: MIME 2024 West Midlands SEND Benchmarking
- West Midlands Inclusion Report 2025

10.2 Additional background papers can be provided to the Scrutiny Board on request.

## **11. How does this deliver the Outcomes in the Council Plan?**

11.1 The SEND transformation programme makes a direct contribution to several strategic themes within the Council Plan.

### **11.2 Growing Up in Sandwell**

The programme strengthens early identification, improves the quality and timeliness of EHC Plans and increases access to support in early years and schools. This ensures that children and young people with Special Educational Needs and Disabilities receive the right help at the right time and can grow up safely, confidently and with improved life chances.

### **11.3 Living in Sandwell**

Work to expand local, inclusive provision and reduce reliance on out of area placements helps children remain connected to their families, communities and local services. Locality working strengthens community based support and improves access to provision close to home.

### **11.4 Healthy in Sandwell**

Closer partnership working with health services supports the delivery of coordinated assessments, timely advice and better transitional planning. Early intervention and improved oversight of vulnerable learners promote emotional wellbeing, reduce crisis escalation and support healthier outcomes for children and young people.

### **11.5 Thriving Economy in Sandwell**

By improving educational outcomes, strengthening pathways into adulthood and reducing avoidable escalation, the programme supports young people to develop the skills and independence needed for future employment. Investment in local provision and services also contributes to the local economy and supports workforce development in education and health.

### **11.6 One Council, One Team Approach**

The programme brings together education, social care, health, finance, commissioning and digital services to deliver a coordinated set of improvements. Strengthened governance arrangements, shared data and joint financial planning demonstrate a whole organisation approach to meeting statutory duties and improving outcomes for families.