Department for Education

Statements of SEN and EHC plans: England 2015

Quality and Uses of the Data

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Description

This document provides information on the use of statistics from the SEN2 data return published in this Statistical First Release (SFR). It provides information on how the data is generally used as well as information on the quality and reliability of the data. There are a number of points that need to be considered with the 2015 SEN2 data, following the introduction of Education, Health and Care (EHC) plans under the Children and Families Act 2014.

Users and usage

The information collected via the annual SEN2 return provides the major source of data on children and young people with statements or EHC plans. It is the only source of data on all statements and EHC plans maintained by individual local authorities. Ministers, Parliament, central and local government, external organisations and the public use this data to monitor government policies and their effectiveness.

We are very familiar with the uses made of the data by local authorities, within the Department for Education and by the UK government. However, we have less clarity on the uses made of this data by other organisations.

We received feedback regarding Table 21 in the Special Educational Needs in England SFR; now Table 5 in this SFR. We've been asked to consider providing information on those attending resourced provision or SEN Units within Academies, as this is provided for other mainstream schools. This would mean changing the establishment categories and definitions within the SEN2 data collection and we are considering this for the 2017 return.

We would like to know more about our users and would encourage and welcome any feedback on how the data is used. Comments on any issues relating to this publication are also welcomed and encouraged. If you would like to be involved in future user engagement consultations then please do get in touch. Please email us at: SEN.STATISTICS@education.gsi.gov.uk

Quality

There are a number of points that need to be considered:

The scope of the 2015 SEN2 return increased to collect information on EHC plans for the first time since their introduction in September 2014. Systems and processes may still be bedding in during this period. There is anecdotal evidence that local authorities are prioritising the transformation to the new system in different ways. Potential differences in planning and prioritising need to be considered when interpreting the data.

More specific points are outlined below:

Pathfinder local authorities

The Department for Education funded twenty 'pathfinders', covering 31 local authority areas and associated clinical commissioning groups (see annex A for the full list), to test the provisions set out in what was the Children and Families Bill.

Pathfinder local authorities will have issued non-statutory EHC plans before 1 September 2014 and these plans are not included in the figures. These non-statutory EHC plans do not have the same duties and rights associated with them as an EHC plan issued on or after 1 September 2014 and local authorities will need to undertake EHC needs assessments to transfer them to statutory EHC plans. While some may be suitable to be transferred to statutory EHC plans without significant changes, others may require further work to comply with the 2014 Act and related Regulations.

Some children and young people who have been issued with non-statutory EHC plans before 1 September 2014 also have statements. If a statement was issued alongside a non-statutory EHC plan, the statement should have been counted as a statement. If a pathfinder area counted a non-statutory EHC plan as a new statement in an SEN2 return and reissues the EHC plan on a statutory basis this is recorded as a transfer from a statement to avoid double counting.

Only statutory EHC plans (i.e. EHC plans issued on or after 1 September 2014) are counted in the 2015 SEN2 data return. However, local authorities were advised to count non-statutory EHC plans as statements in the 2014 SEN2 return. As a result, some pathfinder local authorities could have large differences between 2014 and 2015 data. This should be taken into consideration when making year on year comparisons.

Learning Difficulty Assessments (LDAs)

As part of the new section of the 2015 SEN2 data return on progress transferring from the old system to the new; the number of LDAs at the 31 August 2014 was collected for the first time. Before using the LDA data, the following must be considered:

- Generally LDAs are not maintained by local authorities in the same way as statements or EHC plans.
- A small number of local authorities are known to have used estimation to obtain LDA figures.
- Local authorities had a duty under section 139 of the Learning and Skills Act 2000 to arrange for an LDA for all persons in respect of whom they maintain a statement and who they expect to leave school at 16-19 to receive post-16 education, training or higher education. They had discretion to make LDAs for others. It is possible that some of the discretionary LDAs that were made are for children or young people with SEN who will not meet the criteria for an EHC plan.

Statements and EHC plans issued within the timescales

There are certain circumstances when it is legitimate for local authorities not to record the timescales for both statements and EHC plans. This means that the total number of new statements (or EHC plans) used to calculate the percentages in Table 8 (and Table 9) can be different to the total number of new statements (or EHC plans) in Table 2. We would expect any differences to be small. Circumstances when local authorities are permitted not to record the timescales are given in the 2015 SEN2 return guide. These may include, following mediation or, a tribunal or reconsideration of the original decision not to issue, or a transfer between local authorities.

In Section 1.6 of the 2015 SEN2 return guide, details are given on how to record cases that started as an assessment for a statement but resulted in an EHC plan. In these cases the EHC plan is considered a new EHC plan. However, when it comes to recording the timescales for these plans, the timescales and exceptions apply as for statements under the Education Act 1996 (26 week limit). Local authorities were advised to record these cases as having met the time limit for an EHC plan if they had met the time limit for a statement.

Ambiguity in the 2015 SEN2 return

We are aware that due to the wording of items 2.3 and 2.4 in the SEN2 return guide, some local authorities may have counted some or all of the transfers from statements or LDAs. The wording has been amended to ensure we only collect this data for new statements or EHC plans in 2016.

We are also aware that due to the wording of items 5.1 (a) (iii) and 5.1 (b) (iii) in the SEN2 return guide, some local authorities may have reported those transfers in progress rather than those where a decision has been made not to issue a plan. The wording has been amended to ensure we only collect this data for those where a decision has been made not to issue an EHC plan in 2016.

Related information

Previously published SEN figures	The series of publications is available online at: Statistics: special educational needs (SEN). This web page also hosts the series Children with special educational needs: an analysis which contains key statistics on pupils with special educational needs including attainment, destinations, tribunal appeals, school absence and exclusions.
Wales	Welsh Assembly Government: Pupils with statements of Special Educational Needs (SEN): Welsh Government: Pupils with statements of special educational needs (SEN)
Scotland	Scottish Government: In Scotland there is different legislation and instead of having SEN they have pupils with Additional Support Needs (ASN). Information on this is included in the below publication. Summary Statistics for Schools in Scotland. School Education Statistics
Northern Ireland	Department for Education, Northern Ireland: Special Educational Needs (SEN) pupils by Education and Library Board (ELB). ELB Special schools data. School level data

Annex A: Pathfinder local authorities

Local authority code	Local authority name	Region
203	Greenwich	London
209	Lewisham	London
303	Bexley	London
305	Bromley	London
334	Solihull	West Midlands
352	Manchester	North West
353	Oldham	North West
354	Rochdale	North West
358	Trafford	North West
359	Wigan	North West
381	Calderdale	Yorkshire and the Humber
390	Gateshead	North East
420	Isles of Scilly	South West
805	Hartlepool	North East
815	North Yorkshire	Yorkshire and the Humber
841	Darlington	North East
845	East Sussex	South East
846	Brighton and Hove	South East
850	Hampshire	South East
852	Southampton	South East
856	Leicester	East Midlands
865	Wiltshire	South West
878	Devon	South West
886	Kent	South East
887	Medway	South East
891	Nottinghamshire	East Midlands
908	Cornwall	South West
919	Hertfordshire	East of England
928	Northamptonshire	East Midlands
936	Surrey	South East
938	West Sussex	South East

Department for Education

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