

Freedom of Information – Response – 27197

Freedom of Information Request:

I am conducting comparative research on the financial costs associated with local authority statutory SEND functions across England. The same request is being submitted to all local authorities with SEND responsibilities, so that responses can be compared on a consistent basis. The questions have been drafted to be proportionate, to minimise the need for clarification, and to avoid asking for any information that would require the creation of new data.

Requests:

Request 1. SEND Tribunal legal costs.

For each of the financial years 2022/23, 2023/24, and 2024/25:

(a) the total amount spent by your authority on external legal representation in connection with SEND Tribunal appeals, including solicitors' fees, counsel's fees, and fees for expert witnesses instructed by your authority;

(b) the total amount spent on any in-house legal resource allocated to SEND Tribunal work, if recorded separately;

(c) if the total legal cost per case is recorded or calculable, the average cost per appeal.

Please see information below regarding external legal costs:

2022/23: £26,157.50 (Counsel)

2023/24: £12,365.00 (Counsel)

2024/25: £15,558.75 (Counsel)

(All figures excluding VAT)

[Staff time for Suffolk County Council's internal legal team is not recorded.]

Request 2. Independent and non-maintained placement costs For each of the financial years 2022/23, 2023/24, and 2024/25:

Please note this data is for the academic year not financial year.

	Academic Year 2024-25	Academic Year 2023-24	Academic Year 2022-23
<i>(a) the total number of children and young people with EHCPs placed by your authority in independent or non-maintained special schools;</i>	662	537	406
<i>(b) the total annual expenditure on those placements;</i>	£38,119,260.58	£31,155,505.03	£20,743,317.71
<i>(c) the average annual cost per placement;</i>	£57,581.96	£58,017.70	£51,091.92
<i>(d) the number of those placements that were made following a SEND Tribunal</i>	Suffolk County Council do not hold this information		

order or were conceded during Tribunal proceedings, as distinct from placements made by your authority's own decision.

Request 3. Average cost of maintaining an EHCP For the most recent financial year for which data is available:

Academic Year	2024/2025	2023/2024	2022/2023
(a) the total expenditure by your authority on provision specified in EHCPs, including direct payments, top-up funding to schools, and commissioned services, but excluding independent placement costs reported under Question 2;	£84,819,125	£70,662,547	£55,348,908
(b) the total number of EHCPs maintained by your authority at the end of that financial year;	10,131	8,755	7,387
(c) if calculated or calculable, the average annual cost per EHCP.	8,372	8,071	7,492

Request 4. Cease to maintain decisions and outcomes For each of 2023, 2024, and 2025:

Financial Year	2024/2025	2023/2024	2022/2023
(a) the total number of decisions by your authority to cease to maintain an EHCP;	391	139	Due to the move to the new caseload recording system in 2023, we cannot report a figure for financial year 2022/23.

(b) the number of those decisions subsequently challenged by parents or young persons through appeal to the SEND Tribunal;

Zero

(c) of the appeals at (b), the number conceded by your authority before hearing;

Zero

(d) of the appeals at (b), the number where the Tribunal ordered the EHCP to be maintained.

Zero

Request 5. Personal budgets
For each of 2023, 2024, and 2025

Please note that this information is in academic years and requests for further information or deferred decisions may have been reconsidered in subsequent financial years. The authority does not hold a fully reconciled dataset of final outcomes by original request year.

	2025/2026 Spend to date	2024/2025	2023/2024
(a) the total number of requests received by your authority for a personal budget under section 49 of the Children and Families Act 2014;	234	200	144
(b) the number of those requests that were agreed;	155	82	63
(c) the number that were refused;	45	57	32
(d) the total value of personal budgets agreed in each year.	£1,246,513.86	£1,581,918.57	£887,522.51

Request 6. Named school and parental preference outcomes For each of 2024 and 2025:

(a) the total number of cases in which a parent or young person expressed a preference for a particular school or institution to be named in section I of an EHCP under section 38(2) of the Children and Families Act 2014;

(b) the number of those cases where the parental preference was agreed and the preferred school was named;

(c) the number of those cases where the parental preference was refused.

Suffolk County Council do not hold this information in a reportable format. To find this information would involve checking all EHCP's. As of 7th May 2026 there were 12, 072 current EHCP's.

Suffolk County Council (SCC) can confirm that this information is held however, it is being withheld under s.12 of the Freedom of Information Act 2000 (FOIA.) s.12 allows a public authority to refuse a request where it is estimated that complying with it would exceed the appropriate limit (£450 calculated at 18 hours of staff time charged at £25 per hour.

Whilst we do hold the information you have requested it is not held in a reportable format and would require an individual employee to review each of the 12,072 EHCP's manually to locate and extract the relevant information.

Request 7. Annual review completion rates For each of 2024 and 2025:

(a) the total number of EHCPs due for annual review within the calendar year;
SCC report on the number of reviews completed each year below.

2024	2025
5,724	7,610

(b) the number of those reviews completed within 12 months of the previous review, in accordance with section 44(1) of the Children and Families Act 2014;

Of the reviews completed in each year, below are the numbers completed within 12 months.

2024	2025
2,943	4,378

(c) the number of annual reviews that resulted in an amendment to the EHCP.

2024	2025
4,104	6,028